

RECIDIVISM AND ATI OUTCOMES IN SUFFOLK COUNTY

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Suffolk County Department of Probation
Patrice Dlhopsky, Director
Errol Toulon Jr., Ed.D. Assistant Deputy County
Executive for Public Safety
Prepared by: James J. Golbin, Ph.D.
Chief Planner

“The pure and simple truth is rarely pure
and never simple”

Oscar Wilde

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I. INTRODUCTION

The demand for concrete evidence of program effectiveness increased in frequency and intensity during 2012 & 2013 from both the County Executive's Performance Management Team and the Suffolk County Legislature. In response, this study was undertaken in order to identify available recidivism research and Alternative-To-Incarceration (ATI) outcome studies that evaluate Suffolk County's criminal justice programs.

Public safety has traditionally enjoyed a high priority funding status. Criminal Justice expenditures in Suffolk County, including village, town, county, state and federal agencies have increased substantially in the last two decades and continue to increase each year. The sheer size of this annual expenditure of taxpayer money requires rigorous analysis.

Regarding the current analysis, an evidence-based approach was used throughout this process. The results are presented within the following framework:

- 1) Suffolk County Crime Statistics,
- 2) Recidivism and ATI Outcomes, and,
- 3) Criminal Justice Systems Planning Initiatives.
- 4) A Glossary of NYS criminal justice terms, a description of the NYS Division of Criminal Justice Services' (DCJS)' website and current reports, and excerpts from the National Justices Institute's Recidivism Biography are presented in the appendices.

The recidivism research contained in this report includes current research as well as original grant research that scientifically evaluated the effectiveness of Suffolk's program designs with the original target population. The basic purpose of this planning effort is to assist in the development of innovative strategies that maximize scarce resources, improve overall system efficiency; and increase public safety.

II. SUMMARY OF MAJOR FINDINGS

1. Suffolk's Index Crimes have decreased by 48,067 crimes or 60.5% between 1980 and 2011. As illustrated in Section III, Index crimes are the offenses defined by the Federal Bureau of Investigations (FBI) as a basic measure of the occurrence of serious crimes. All are finger printable offenses.(Refer to Figure 1)
2. Suffolk County's Violent Index Crimes decreased almost 17% between 2007 and 2011 from 2657 incidents in 2007 to 2213 in 2011. (Refer to Figure 2.).
3. Annual Index Crimes reported to the Police by region between 2002 and 2011, show a consistent reduction in serious crime in New York State and regionally. (Refer to Tables 1&2).
4. Between 2003 and 2012 Suffolk probationer's felony recidivism arrest total decreased from 802 to 548 in 2012, a reduction of -31.7%. Violent felony offenses decreased from 131 to 113, or by -13.7% during the same time period. Between 2011 and 2012, felony drug recidivism by probationers decreased by -31.1% from 90 arrests to 62 arrests. Probationer felony drug recidivism decreased by -47.5% over the last ten years. (Refer to Table 3).
5. Between 2003 and 2012, felony parolee recidivism arrests decreased from 249 to 212 or by -14.9%. Violent felony recidivism between 2011 and 2012 decreased from 58 to 56, a -3.4% reduction. Total parolee felony recidivism arrests decreased by -1.4% from 215 to 212 between 2011 & 2012. (Refer to Table 3).
6. Probation Felony and Violent Felony recidivism arrest rates declined consistently between 2002 and 2011. In addition, Violent Felony Recidivism decreased from 2.7% after one year on Probation in 2002 to 2.0% in 2011. (Refer to Section V. 1, DCJS Crimestat Report)
7. According to DCJS/OPCA, Suffolk Probation's felony rearrests within one, two and three years of being sentenced to probation totaled 8.4% for one year (2011), 14.3% for two years (2010/2011), and 18.9% after a three year (2009/2010/2011) follow-up period. In addition, Suffolk's Adult Supervision Outcomes in 2012 totaled 3,622 Positive Outcomes or 72% successful, while the State Average was 67% positive, and the non-NYC total was 64%. (Refer to Section V.3.)
8. The New York State (Suffolk County Drug Treatment Court) was selected by the U.S. Dept. of Justice, Office of Justice Programs, as an exemplary project in 2013. Suffolk's Drug Treatment Court had a substantial impact on reducing recidivism rates up to three years after. Regular post program recidivism experienced a 28% reduction in recidivism. (Refer to Crime Solutions.gov or Section V.5).
9. DWI Jail Alternatives Facility and (PAT) Program's recidivism totaled 37 incidents of arrest committed by 33 probationers or 14.3% of the 231 PAT clients in 2011. 85.7% remained arrest

free. The DWI recidivism rate was 3% with 7 individuals committing 9 incidents. (Refer to Section V.6, Table 6).

10. Original Recidivism Grant: The original recidivism research grant of Probation's Alcohol Treatment (PAT) program for multiple recidivist drunk drivers includes the following:

- *Regarding comparative effectiveness, for the PAT project, 17.4% of the probationers were rearrested; as compared to 37.5% re-arrests of the DWI population of the federally funded Improved Correctional Field Services Project (ICFS).*
- *The PAT intensive special supervision approach seemed especially effective with medium recidivism risk cases regardless of the substance abuse diagnostic score. For the PAT project, 3.1% of the population classified as medium risk cases were rearrested for DWI offenses; as compared to 18.8% with the comparison group; and 27.3% from the ICFS project population. (Refer to Section V.7.)*

11. A Domestic Violence Recidivism Study was conducted on the 296 cases in Suffolk Probation's Domestic Violence Unit during 2007. Of those 296 cases, there were 66 re-arrests during the year committed by 43 individuals. 84.5% of offenders in the Domestic Violence Program did not commit new offenses during 2007, while 14.5% (n=43) were recidivists. 8.4% (n=25) offenders in the domestic violence program had new arrests related to domestic violence (harassment, physical violence or destruction of property). (Refer to Section V.10)

12. *"The Relationship Between Symptoms of Illness and Criminal Justice System Involvement in Two Cohorts of Individuals with Serious and Persistent Mental Illnesses"* was addressed in a research study conducted by the School of Social Welfare at Stony Brook University, the CJCC and Suffolk Probation. This research analyzed the Suffolk adult, criminal justice population, Published in NASW Abstracts - October 14, 2010.

Results:

- *There were differences in the distribution of race/ethnicity across diagnostic categories and differences in ratings of severity of illness and frequency of mental health treatment between Caucasians and African Americans, with African Americans generally having greater severity of illness ratings and lower levels of treatment.*
- *The Suffolk County findings strongly suggest that unrecognized and untreated mental illness might result in involvement with the criminal justice system and recidivism.*

13. Original Recidivism Grant: *"Two-Year Follow-Up of the Improved Correctional Field Services Project: A Preliminary Analysis"* was research conducted by the Suffolk Probation Department as part of a U.S. Dept. of Justice, L.E.A.A/ grant in 1981 (Refer to Section V.39).

- **Research Goal:** To identify major factors that prevent recidivism.

- **Target Population:** The grant population represented a stratified random sample of the Suffolk County Criminal Court population using statistically valid sampling procedures. The sample was comprised of 283 adult probationers.

Results:

After 22 months, 62.2% of the probationers were arrest-free or non-recidivists; Significant factors (all < .01 level of significance) between recidivists and non-recidivists with recidivists scoring positively were as follows:

- Current alcohol and/or drug abuse
- Unemployment
- Lack of Family and Community ties
- Lower Age at sentence
- History of Drug Abuse
- High Risk Level

Increased number of Supervision contacts by itself did not reduce recidivism. This research was one of the first federally funded research projects that documented that intensive contacts, by themselves, did not reduced criminal recidivism.

14. 2012 Suffolk Day Reporting Program (DRC) - The NYS Office of Alcoholism and Substance Abuse Services (OASAS) evaluated the 2011 substance abuse services of Suffolk's DRC program for high risk, jail bound offenders (N=95). DRC's program rating scores were reported by OASAS on 8/29/12 and are as follows:

Outcomes	DRC Program Score Rating	Statewide Score Rating
One month retention	96	78
Three month retention	90	72
Six month retention	84	53
% completing program or referral	67 (5 star)	45 (3 star)

Suffolk DRC received excellent performance ratings for 2011.

Outcomes	DRC Program Score Rating	Statewide Score Rating
% with Discontinued Use	78	68
% Maintaining FT/Improve employment	77	45

15. GPS/Electronic Monitoring/SCRAM is used as Conditions of Probation in combination with probation supervision. 2012 outcomes include the following:
 - Successful Completions for GPS – 130 or 80% successful.
 - Unsuccessful Terminations from GPS 33 or 20% unsuccessful (Refer to V.13.)

16. 2007 Criminal Court Probation Recidivism Rates by Specialized Program are as follows:

Target Populations – All recidivism risk probationers during 2007.

High Recidivism Risk – Below listed programs - *B,D,E,F,G*.

- A. **Total Probation Supervision** – 9.6% rearrested, 4.4% felony, 1.4% violent felony
- B. **PAT/ DWI Jail Alternatives** – 9.4% rearrested, 5.7% felony, 2.0% DWI
- C. **Sex Offender Program** – 4.9% rearrested, 2% felony recidivism. 1.3% violent felony, 0.2% sex offense
- D. **Domestic Violence Program (DVP)** - 14.5% rearrested, 9.5% felony, 7.4% violent felony, 8.1% crim. contempt
- E. **Day Reporting (DRC)** – 8.2% rearrested, 3.1% felony recidivism, 0% violent felony
- F. **Intensive Supervision Program (ISP)** – 27.2% rearrested, 14.3% felony recidivism, 5.1% violent felony, 10.6% drugs
- G. **Gang Reduction Intervention Project (GRIP)** – 31.1% rearrested, 13.7% felony recidivism, 7.1% violent felony, 6.6% drugs
- H. **Mental Health Unit** – 12.5% rearrested, 5.1% felony, 2.1% violent felony, 0.4% assault
- I. **SRP/TANF/Drug Court** – 1.9% rearrested, 0.6% felony recidivism, 0.3% violent felony, 0.3% robbery
- J. **Regular Probation Supervision** – 11.1% rearrested, 5.8% felony recidivism, 1.4% violent felony, 0.8% assault. (Refer to Sections V. 15-20)

17. The ATI Probation Pretrial Services and Supervised Release program's activities for 2011 and 2012 were monitored by NYS OPCA with the following results:

	<u>2011</u>	<u>2012</u>
• Number Screened	17,041	17,246
• Number Interviewed	16,932	17,120
• Total # Released	9,935	6,883
• Percent Released	58.7%	57.5%
• Total # Under Pretrial Release (2011)	1,211	864
• Persons Failure to Appear (FTA)	11	9
• Suffolk FTA Rate	0.9%	1.0%
• State FTA Rate Average	2.6%	N/A

18. Suffolk's DWI Jail Alternatives Program had 169 ATI admissions/placements in 2011, and a Satisfactory Completion Rate of 98.8%; as compared with an average NYS Satisfactory Completion Rate of 72.1%

19. In 2011, Suffolk TASC had 293 ATI Admissions/Placements, 178 Satisfactory Completions, and 31 Unsatisfactory Terminations for an 85.2% Completion Rate, as compared to an average NYS Completion Rate of 75.6%. (Refer to V.23).

20. In 2011, the Suffolk County Community Service ATI Program placed 182 offenders into work sites with 95 satisfactory completions and 38 unsatisfactory terminations for a 71.4% completion rate, as compared to the average NYS completion rate of 86.5%.

Note: Suffolk County Red Cross discontinued services and Probation continued partial services until full services were restored by EAC in November 2012.

21. During the 1st Three Quarters of 2012, the Suffolk Defender Based Advocacy ATI Program prepared and had accepted 74 plans for a 100% acceptance rate.

22. During 2012, the Suffolk Probation Restitution Collections Program achieved the following results as reported by NYS DCJS/OPCA in March 2013:

- Suffolk Probation collected **\$1,405,038.49** in offender restitution in 2012 which ranked **#1** out of the 56 Probation counties outside of New York City.
- Suffolk Probation ranked #1 (outside of NYC) in restitution collections in 2010, 2011, and 2012 totaling a total of **\$3,758,989.77**.
- In DWI restitution and fees, Suffolk Probation collected **\$1,619,753** which ranked **#1** in New York State including New York City.

23. Original Grant Recidivism: “*Adolescent Sex Offender Project*”: NYS DCJS Grant #3117 – federal funding, April 1987.

- After 18 months of operation, 86 cases were screened, 11 cases were rejected, and 75 received intensive probation, correctional treatment services.
- Program Recidivism – 4 program participants or 5.3% were rearrested (one for Criminal Trespass, two for UUMV, one for DWI). 0% recidivism for sex offenses. Eight (8) Violations of Probation were filed. (Refer to Section V.11)

24. Systems Planning – Crime and Recidivism Reduction Initiatives: Suffolk County’s federal and State grant supported, interagency Criminal Justice initiatives include the following:

Current Initiatives

- 2005 CFROC Jail Overcrowding Systems Analysis
- 1997-2013 Stop Violence Against Women (SVAW Grants)
- 2006-2013 Parole Re-entry Task Force (Grant)
- 2004-2013 Operation Impact (Grant)
- 2003-2013 U.S Marshals’ Fugitive Task Force
- 2002-2011 Institutional Care Strike Force
- 2008-2013 Justice Assistance Grant (JAG)
- 2005-2013 Project SCOPE – Suffolk County Orders of Protection Enforcement (Grant)

- 2005 NIC Report #05J1087 – Incarcerated Mentally Ill
- 2001 Suffolk County JSAT Project (State Grant)
- 1993 “A Fiscal and Structural Analysis of Suffolk County’s Criminal Justice System, CJCC Subcommittee on Policy and Planning.

III. CRIME STATISTICS

Overview

As documented in numerous other DCJS studies, the crime rates in Suffolk County, the Nassau/Suffolk Region, New York City, New York State and nationally have been decreasing substantially in recent years. Significant reductions in crime and delinquency need to be analyzed scientifically, in order to understand the causes of this reduction, so that successful initiatives can be replicated or expanded, and overall costs reduced. Defining the problem accurately is extremely important in the 'recidivism reduction' environment. In this section, several recent examples of Suffolk crime rates and patterns are presented for analysis. NYS DCJS has many additional crime statistics available which are described in Appendix A.

Background on Crime Statistics

The Uniform Crime Reporting program was implemented by the Federal Bureau of Investigation (FBI) in 1929 to standardize crime reporting across the country. Seven major or Index crime categories were selected and reporting criteria established for each. The categories established are violent: crimes of murder, rape, robbery, and aggravated assault; and the property crimes of: burglary, larceny, and motor vehicle theft. An eighth category, arson, was later added.

Index Crime Trend Analysis: Index crimes are the offenses defined by the Federal Bureau of Investigation (FBI) as a basic measure of the occurrence of serious crimes. All are finger printable offenses. *(Does not include lesser offenses)*

The Uniform Crime/Incident-Based Reporting system uses general offense categories that were developed by the Federal Bureau of Investigation (FBI) to standardize reporting across states. The seven Index crimes were chosen primarily on the basis of their seriousness and frequency of occurrence, and are used to gauge trends in the overall volume and rate of crime. The index crimes, as defined by the FBI and not New York State statute, include the following:

Violent Crimes

Murder - The willful killing of one human being by another. Excluded from this category are deaths caused by negligence, suicide, or accident, justifiable homicides, and attempts to murder, which are classified as assault.

Forcible Rape - The carnal knowledge of a female forcibly against her will. Attempts to commit rape by force or threat of force are also included; however, statutory rape (without force) and other sex offenses are excluded.

Robbery - The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault - The unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm, and also includes attempts to commit murder.

Property Crimes

Burglary - The unlawful entry of a structure to commit a felony or theft. The use of force to gain entry is not required to classify an offense as Burglary.

Larceny - The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. It includes crimes such as shoplifting, purse snatching, bicycle theft, etc., in which no use of force, violence, or fraud occurs. This offense category does not include offenses such as embezzlement, forgery, or bad checks.

Motor Vehicle Theft - The theft of, or attempted theft of, a motor vehicle -including automobiles, trucks, buses, motorcycles, and snowmobiles.

Summary of Crime Statistics

- As illustrated in Figure 1, Suffolk's Index Crimes have decreased by 48,067 crimes or 60.5% between 1980 and 2011.
- As illustrated in Figure 2, Suffolk County's Violent Index Crimes decreased almost 17% between 2007 and 2011.
- As illustrated in Table 2, annual Index Crimes reported to the Police by region consistently decreased in New York State and regionally between 2002 and 2011.
- As illustrated in Table 3, Parolee and Probationer Arrests, as a percentage of annual Suffolk County Arrests between 2003 and 2012 are presented, as follows:
 - Between 2003 and 2012 Suffolk probationer's felony recidivism arrest total decreased from 802 to 548 in 2012, a reduction of -31.7%. Violent felony offenses decreased from 131 to 113, or by -13.7% during the same time period. Between 2011 and 2012, felony drug recidivism by probationers decreased by -31.1% from 90 arrests to 62 arrests. Probationer felony drug recidivism decreased by -47.5% over the last ten years. (Refer to Table 3).
 - Between 2003 and 2012, felony parolee recidivism arrests decreased from 249 to 212 or by -14.9%. Parolee violent felony recidivism decreased from 58 to 56, a -3.4% reduction between 2011 and 2012. Total parolee felony recidivism arrests decreased by -1.4% from 215 to 212 between 2011 & 2012. (Refer to Table 3).

Figure 1

Suffolk
Reported Index Crimes
Between 1980 and 2011 as per
NYS Division of Criminal Justice Services

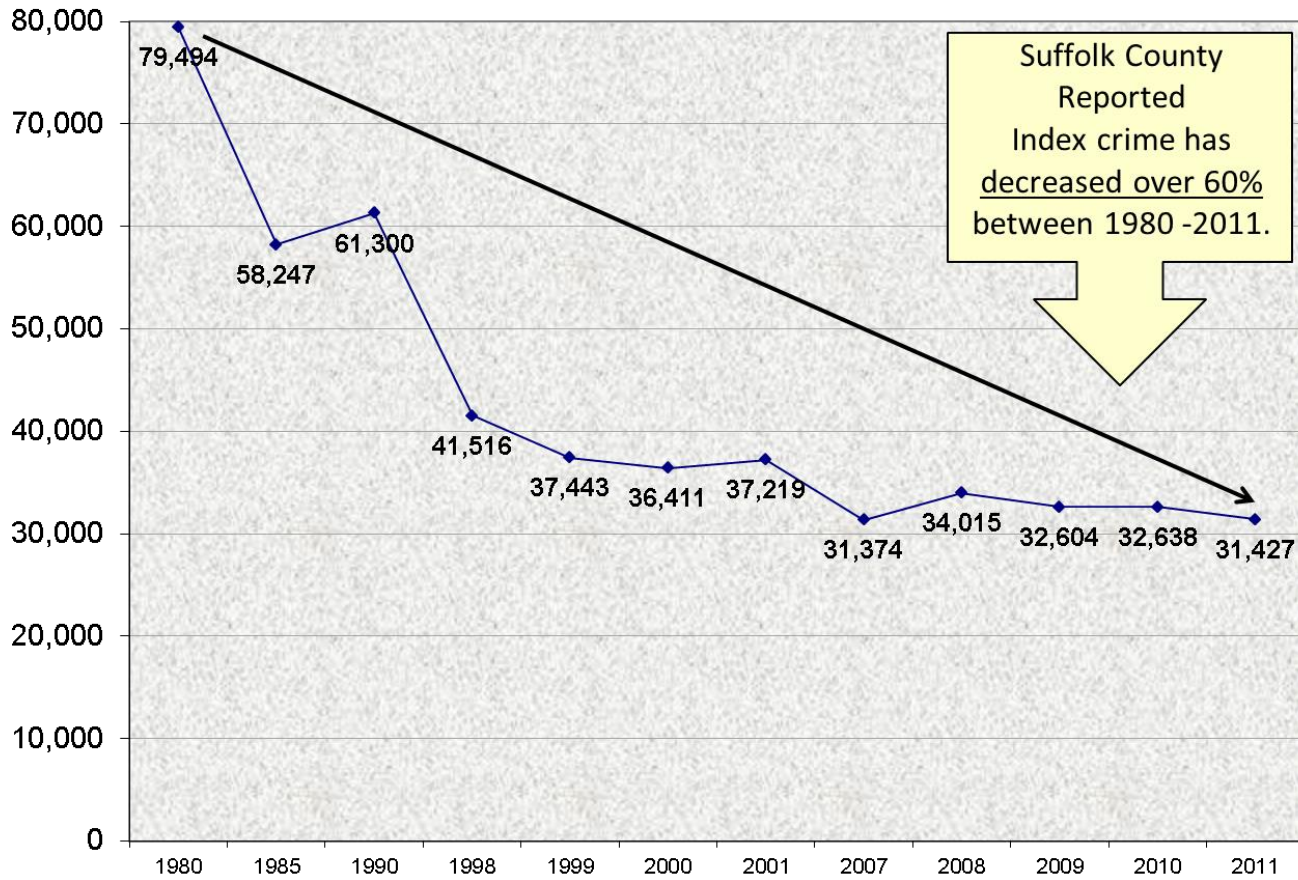


Figure 2

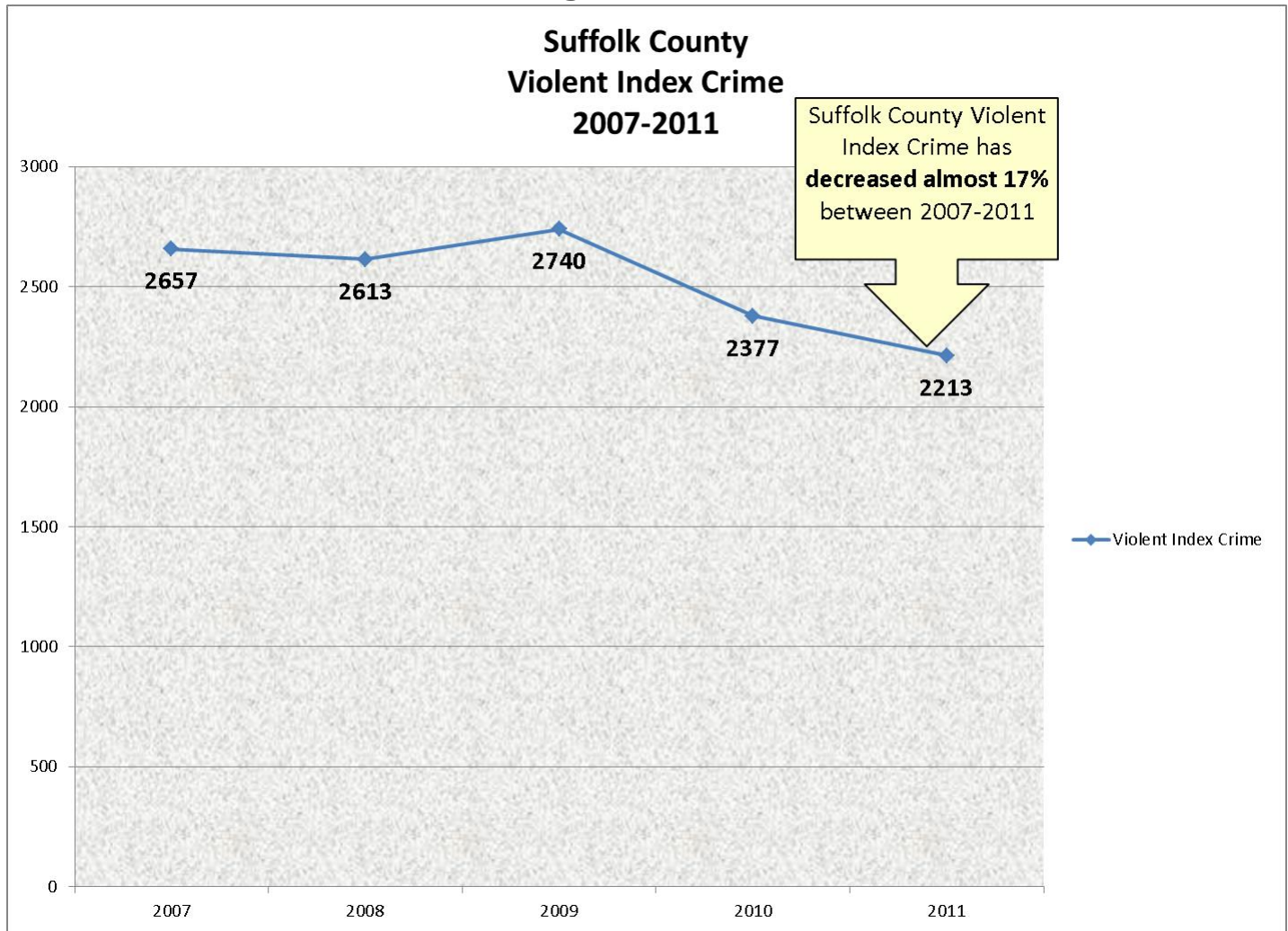


Table 1

INDEX CRIMES REPORTED TO POLICE: 2007 - 2011													
County	PD	Year	Incomplete/ # of Months Rptd	Index Total	Violent Crime					Property Crime			
					Violent Total	Murder	Forcible Rape	Robbery	Agg. Assault	Property Total	Burglary	Larceny	MV Theft
Suffolk	County Total	2007		31,374	2,657	30	109	957	1,561	28,717	4,067	22,389	2,261
Suffolk	County Total	2008		34,015	2,613	39	112	985	1,477	31,402	4,778	24,522	2,102
Suffolk	County Total	2009		32,604	2,740	33	85	1,059	1,563	29,864	4,555	23,648	1,661
Suffolk	County Total	2010		32,638	2,377	52	68	877	1,380	30,261	4,822	23,841	1,598
Suffolk	County Total	2011		31,427	2,213	32	62	816	1,303	29,214	5,108	22,835	1,271

Table 2

Index Crimes Reported to Police by Region: 2002-2011													
												% change	
		2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2010-11	2002-11
New York State	Index Crime	538,912	519,089	500,640	489,397	477,861	460,974	464,606	449,745	450,121	446,733	-0.8%	-17.1%
	Violent Crime	94,598	89,365	84,274	85,524	83,814	79,820	77,423	74,828	75,820	77,265	1.9%	-18.3%
	Murder	905	925	899	875	927	808	835	784	866	770	-11.1%	-14.9%
	Forcible Rape	3,774	3,770	3,561	3,615	3,165	2,925	2,786	2,571	2,765	2,755	-0.4%	-27.0%
	Robbery	36,946	35,778	33,350	35,004	34,380	31,035	31,737	28,068	28,402	28,317	-0.3%	-23.4%
	Agg. Assault	52,973	48,892	46,464	46,030	45,342	45,052	42,065	43,405	43,787	45,423	3.7%	-14.3%
	Property Crime	444,314	429,724	416,366	403,873	394,047	381,154	387,183	374,917	374,301	369,468	-1.3%	-16.8%
	Burglary	76,494	75,418	69,928	67,800	68,487	64,828	65,502	62,672	64,658	64,884	0.3%	-15.2%
	Larceny	319,502	309,168	305,659	300,537	293,472	288,354	296,589	290,464	289,244	285,961	-1.1%	-10.5%
	MV Theft	48,318	45,138	40,779	35,536	32,088	27,972	25,092	21,781	20,399	18,623	-6.3%	-61.5%
New York City	Index Crime	250,631	236,215	226,876	217,132	205,522	199,941	198,419	188,357	188,104	191,666	1.9%	-23.5%
	Violent Crime	63,840	59,448	55,688	54,623	52,086	50,453	48,430	46,357	48,489	51,209	5.6%	-19.8%
	Murder	587	597	570	539	596	496	523	471	536	515	-3.9%	-12.3%
	Forcible Rape	1,689	1,609	1,428	1,412	1,071	875	890	832	1,036	1,092	5.4%	-35.3%
	Robbery	27,229	25,989	24,373	24,722	23,511	21,787	22,186	18,597	19,608	19,773	0.8%	-27.4%
	Agg. Assault	34,335	31,253	29,317	27,950	26,908	27,295	24,831	26,457	27,309	29,829	9.2%	-13.1%
	Property Crime	186,791	176,767	171,188	162,509	153,436	149,488	149,989	142,000	139,615	140,457	0.6%	-24.8%
	Burglary	30,102	28,293	26,100	23,210	22,137	20,914	19,867	18,780	17,926	18,159	1.3%	-39.7%
	Larceny	129,655	124,846	124,016	120,918	115,363	115,318	117,682	112,526	111,370	112,864	1.3%	-13.0%
	MV Theft	27,034	23,628	21,072	18,381	15,936	13,256	12,440	10,694	10,319	9,434	-8.6%	-65.1%
Non-New York City	Index Crime	288,281	282,874	273,764	272,265	272,339	261,033	266,187	261,388	262,017	255,067	-2.7%	-11.5%
	Violent Crime	30,758	29,917	28,586	30,901	31,728	29,367	28,993	28,471	27,331	26,056	-4.7%	-15.3%
	Murder	318	328	329	336	331	312	312	313	330	255	-22.7%	-19.8%
	Forcible Rape	2,085	2,161	2,133	2,203	2,094	2,050	1,896	1,739	1,729	1,663	-3.8%	-20.2%
	Robbery	9,717	9,789	8,977	10,282	10,869	9,248	9,551	9,471	8,794	8,544	-2.8%	-12.1%
	Agg. Assault	18,638	17,639	17,147	18,080	18,434	17,757	17,234	16,948	16,478	15,594	-5.4%	-16.3%
	Property Crime	257,523	252,957	245,178	241,364	240,611	231,666	237,194	232,917	234,686	229,011	-2.4%	-11.1%
	Burglary	46,392	47,125	43,828	44,590	46,350	43,914	45,635	43,892	46,732	46,725	0.0%	0.7%
	Larceny	189,847	184,322	181,643	179,619	178,109	173,036	178,907	177,938	177,874	173,097	-2.7%	-8.8%
	MV Theft	21,284	21,510	19,707	17,155	16,152	14,716	12,652	11,087	10,080	9,189	-8.8%	-56.8%
Note: The new Penal Law charges of Strangulation 1st (PL 121.13) and 2nd (PL 121.12), which were enacted in November 2010, are classified as aggravated assaults for crime reporting purposes. Prior to enactment, a significant number of incidents now classified as Strangulation 2nd (PL 121.12) would have been classified within the UCR as simple assaults. The New York City Police Department estimates that 60% of the City's overall increase in aggravated assault in 2011 is due to this change in classification.													
Source: DCJS, Uniform Crime/Incident-Based Reporting systems.													
Includes all reports received as of 10/16/12.													

Table 3

Parolee/Probationer Arrest Percent of Total Arrests within County 2003-2012 Suffolk County Arrest Data as of 1/28/2013													
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012		%Change 2011 vs. 2012	%Change 2003 vs. 2012
Felony Arrests within County													
VFO	1,556	1,601	1,574	1,737	1,560	1,477	1,560	1,369	1,283	1,301		1.4%	-16.4%
Drug	1,016	1,192	1,360	1,424	1,433	1,022	965	904	923	727		-21.1%	-28.4%
VTL	879	757	687	754	832	809	836	840	905	945		4.4%	7.5%
Other	3,902	3,365	3,384	3,575	3,480	3,322	3,409	3,176	3,126	3,026		-3.2%	-22.5%
Total Felony	7,353	6,915	7,005	7,490	7,305	6,630	6,770	6,289	6,236	5,999		-3.8%	-18.4%
Misdemeanor Arrest within County													
VTL	4,338	4,004	4,252	4,497	4,262	3,980	3,947	3,610	4,069	4,106		0.9%	-5.3%
Drug	3,893	3,803	3,493	4,283	4,049	3,754	3,471	4,314	4,648	5,085		9.4%	30.6%
Other	10,443	9,938	9,835	10,049	9,609	10,770	11,312	11,278	11,012	10,467		-4.9%	0.2%
Total Misdemeanor	18,674	17,745	17,580	18,829	17,920	18,504	18,730	19,202	19,729	19,658		-0.4%	5.3%
Total Arrest	26,027	24,660	24,585	26,319	25,225	25,134	25,500	25,491	25,965	25,657		-1.2%	-1.4%
Parolee Arrests within County													
VFO	67	61	76	69	68	58	50	60	58	56		-3.4%	-16.4%
Drug	59	67	96	92	79	57	73	58	54	57		5.6%	-3.4%
VTL	22	17	19	15	18	20	18	21	17	20		17.6%	-9.1%
Other	101	92	78	87	104	84	85	99	86	79		-8.1%	-21.8%
Total Parolee Felonies	249	237	269	263	269	219	226	238	215	212		-1.4%	-14.9%
Percent of Total Felony	3.4%	3.4%	3.8%	3.5%	3.7%	3.3%	3.3%	3.8%	3.4%	3.5%			
Total Parolee Misdemeanors	438	395	338	349	344	317	379	379	334	300		-10.2%	-31.5%
Percent of Total Misdemeanor	2.3%	2.2%	1.9%	1.9%	1.9%	1.7%	2.0%	2.0%	1.7%	1.5%			
Total Parolee Arrest	687	632	607	612	613	536	605	617	549	512		-6.7%	-25.5%
Percent of Total Arrest	2.6%	2.6%	2.5%	2.3%	2.4%	2.1%	2.4%	2.4%	2.1%	2.0%			
Probationer Arrests within County													
VFO	131	157	143	174	142	140	139	130	122	113		-7.4%	-13.7%
Drug	118	109	147	149	157	93	103	99	90	62		-31.1%	-47.5%
VTL	156	143	105	135	143	109	152	143	138	120		-13.0%	-23.1%
Other	397	332	329	318	318	293	303	310	266	253		-4.9%	-36.3%
Total Probationer Felonies	802	741	724	776	760	635	697	682	616	548		-11.0%	-31.7%
Percent of Total Felony	10.9%	10.7%	10.3%	10.4%	10.4%	9.6%	10.3%	10.8%	9.9%	9.1%			
Total Probationer Misdemeanors	1,228	1,088	1,037	1,085	1,073	1,030	1,073	1,216	1,182	1,153		-2.5%	-6.1%
Percent of Total Misdemeanor	6.6%	6.1%	5.9%	5.8%	6.0%	5.6%	5.7%	6.3%	6.0%	5.9%			
Total Probationer Arrest	2,030	1,829	1,761	1,861	1,833	1,665	1,770	1,898	1,798	1,701		-5.4%	-16.2%
Percent of Total Arrest	7.8%	7.4%	7.2%	7.1%	7.3%	6.6%	6.9%	7.4%	6.9%	6.6%			
Division of Criminal Justice Services													
Crimestat Report													

IV. Standards for Conducting Criminal Justice Research

The Value of Using the Scientific Approach in Criminal Justice Planning

The Scientific method is based on careful collection of evidence, accurate description and measurement, precise definition, controlled observation, and repeatable results.

Approximately thirty-six years ago, Robert Martinson and his colleagues conducted an analysis of 231 studies on offender rehabilitation. The results of this study were summarized by Martinson as “Nothing Works”, resulting in rehabilitation to be rejected by many as a valid penology theory. Rehabilitation seemed unattainable. Although the results of this study were overstated, it did help to reveal the nasty truth that criminal justice programs were rarely evaluated scientifically, and most were never evaluated at all. A more accurate observation by Martinson was captured by his claim that “Corrections is the graveyard of abandoned fads.”

In 1987, about a dozen years later, Gendreau and Ross published an analysis of over 200 studies on rehabilitation programs from 1981-1987 which used more sophisticated methodology, and concluded, “successful rehabilitation of offenders had been accomplished and continued to be accomplished quite well...reductions in recidivism, sometimes as substantial as 80 percent had been achieved in a considerable number of well controlled studies” (Gendreau and Ross, 1987).

During the last twenty-five years, criminal justice in general, and corrections in particular have made substantial progress in adopting the scientific approach and implementing evidence-based practices. Science requires the development of theories that can be proved or disproved by systematic research. The goals of science are to explain why something happens, to make generalizations, and to predict. To achieve these goals scientists must rely on conclusions based on systematic studies, not on magical thinking, superstition, or common beliefs. They must examine evidence with an open mind, which can be checked by others. Secrecy, manipulation and biases are unscientific.

It’s worth repeating that the scientific method is based on careful collection of evidence, accurate description and measurement, precise definition, controlled observation, and repeatable results. The scientific approach requires evidence beyond “common sense.” Empirical evidence is required. Evidence-based practices result from the application of scientific methods and the scientific approach.

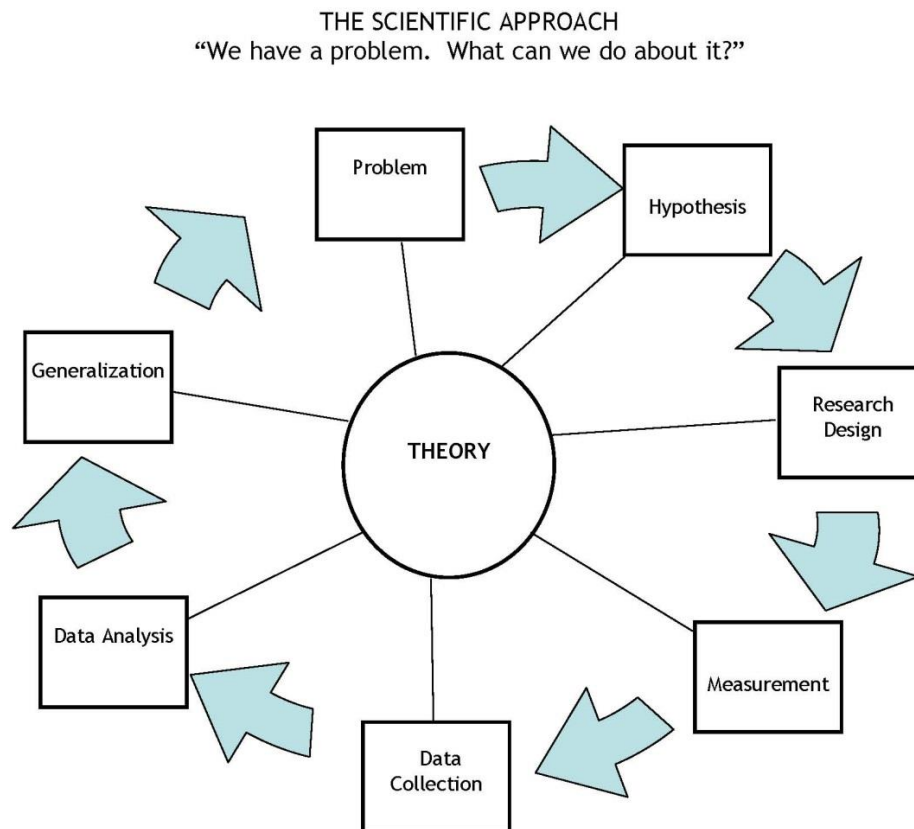
Facts Instead of Fads - Over the last 36 years, criminal justice made a steady move away from myths, guesstimates, and fads, towards evidence-based decision-making and practices. Collaboration between the forensic sciences, social and behavioral sciences, medical sciences, and technology has been substantial in a data driven culture. Many social scientists believe that the seemingly inexplicable and unprecedented reduction in many national and local crime rates during a severe, prolonged recession is not so inexplicable after all.

The Research Process as an Open System

The scientific approach is one of the best methods currently available to help understand the world around us, and to solve complicated problems. This approach is based on empirical evidence which means that facts must be measurable in the real world. Evidence-based practices in criminal justice and other areas are currently quite popular, because when this approach is implemented correctly, in addition to reducing crime, substantial savings can also be realized.

Scientific knowledge is knowledge provable by both reason and experience. Logical validity and empirical verification are the criteria used to evaluate claims that people make about problems and solutions to those problems. The research process can be viewed as the overall scientific activities in which scientists engage in order to produce knowledge; it is the paradigm of scientific inquiry.

Figure 3



As illustrated in Figure 3, the research process consists of seven principal stages: *problem identification, hypothesis, research design, measurement, data collection, data analysis, and generalization*. Each of these stages is interrelated with theory which allows us to explain and predict.

The research process is a dynamic process that continues to work through these seven principal stages in a self-correcting way, until solutions are found. Potential solutions must be repeated and verified by others who also use scientific methods.

Routinizing evaluations into Criminal Justice programs is necessary in order to keep programs from becoming stagnant and suddenly unsuccessful, because of unpredicted changes. For example, a DWI program that works well with medium- risk drunk drivers may be unsuccessful if the target population suddenly becomes high-risk offenders. The research process and empirical evaluation must be built into the program architecture in order to enable the program to change dynamically as new challenges arise.

Recidivism and Criminogenic Factors

The criminologist, Professor Edward Latessa of the University of Cincinnati's Center for Criminal Justice Research is one of the foremost experts on recidivism reduction and a consultant to New York State's DCJS Office of Probation and Correctional Alternatives. In his work, "What Works and What Doesn't in Reducing Recidivism: The Principles of Effective Intervention," Dr. Latessa identifies key principles that reduce recidivism which are presented in this section.

Principles of Effective Intervention

1. *Risk Principle* – target higher risk offenders (Who)
2. *Need Principle* – target criminogenic risk/need factors (What)
3. *Treatment Principle* – use behavioral approaches (How)
4. *Fidelity Principle* – implement programs as designed (How Well).

Risk Principle

- Target those offenders with higher probability of recidivism.
- Provide most intensive treatment to higher risk offender.
- Intensive treatment for lower risk offender can increase recidivism.

Need Principle

By assessing and targeting criminogenic needs for change, agencies can reduce the probability of recidivism.

<u>Criminogenic</u>	<u>Non-Criminogenic</u>
<ul style="list-style-type: none"> • Anti-social attitudes • Anti-social friends • Substance abuse • Lack of empathy • Impulsive behavior 	<ul style="list-style-type: none"> • Anxiety • Low self-esteem • Creative abilities • Medical needs • Physical conditioning

Treatment Principle

The most effective interventions are behavioral and that:

- Focus on current factors that influence behavior
- Are action oriented
- appropriately reinforce offender behavior

Effective programs have the following characteristics:

- Are based on research and sound theory
- Have leadership
- Assess offenders using risk and need assessment instruments
- Target crime producing behaviors
- Use effective treatment models
- Vary treatment and services based on risk, needs, and responsivity factors
- Disrupt criminal networks
- Have qualified, experienced, dedicated and educated staff
- Provide aftercare
- Evaluate what they do
- Are stable and have sufficient resources and support

Many correctional intervention programs are based on tradition, custom and imitation rather than scientific evidence of effectiveness. Effective programs are based on theory and research.

Effective Programs Include:

- Program development based upon extensive literature review.
- There is theoretical foundation to the program and its components
- The interventions are linked to criminogenic needs.
- The staff understands the interventions, why they are being used, and how to apply them.

Fidelity Principle

Quality Assurance

1. *Internal* – processes to ensure that assessments, services and intervention provided by the program are delivered as designed.

2. *External* – processes to ensure services and interventions provided by outside providers are delivered as designed.

Summary

Lessons Learned

- Who you put in a program is important – pay attention to risk.
- What you target is important – pay attention to criminogenic needs.
- How you target offender for change is important – use behavioral approaches.

Important Considerations

- Offender assessment is the engine that drives effective programs-(helps you know who and what to target).
- Design programs around empirical research-(helps you know how to target offenders).
- Program Integrity makes a difference- (Service delivery, disruption of criminal networks, training/supervision of staff, support for program, QA, evaluation).

V. RECIDIVISM AND ATI OUTCOMES

The recidivism research contained in this report includes current research as well as original grant research that scientifically evaluated Suffolk County's programs with their original target populations. The major purpose of this planning effort is to assist in the development of innovative strategies that maximize scarce resources, improve overall system efficiency and increase public safety.

Probation Supervision Research (Numbers 1-4)

1. *Ten Year (2002-2011) - "Probation Felony Re-Arrest Rates Following Sentence to Probation"*, NYS Division of Criminal Justice Services (DCJS), Crimestat Report, Date Prepared April 18, 2013

Target Population – All convicted criminal offenders sentenced to Suffolk Probation.

Suffolk County Ten Year Felony Recidivism Trends

	<u>2002</u>	<u>2005</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
One Year	10.5%	12.1%	9.0%	9.1%	8.4%
Two Years	17.6%	19.1%	14.7%	14.3%	N/A
Three Years	22.3%	24.2%	18.9%	N/A	N/A

Probation Violent Felony Recidivism

	<u>2002</u>	<u>2009</u>	<u>2011</u>
One Year	2.7%	1.9%	2.0%
Two Years	4.7%	3.2%	N/A
Three Years	5.8%	4.3%	N/A

Recidivism Outcomes

- Probation Felony and Violent Felony recidivism arrest rates declined between 2002 and 2011.
- Violent Felony Recidivism decreased from 2.7% after one year in 2002 to 2.0% in 2011.

Note: Probationer Felony Re-arrest Rates Following Sentence – Regarding the ten-year Annual Arrest Cohort Study for Probationers in New York State, Probationer Recidivism is an important performance measure. It is dependent on a number of variables including offender type, risk levels, sentencing practices, local economies, risk levels, etc. so the reader is cautioned from making comparison between jurisdictions - Posted May 29, 2009 – NYS Division of Criminal Justice Services

2. *“Suffolk Probation Supervision Monthly Outcome Statistics 2012 and 2013”*: Violation of Probation (VOP) and Recidivism Outcomes are compiled on a monthly basis and used in the preparation of the NYS DCJS/OPCA DP30 monthly status report. Last report was completed February 2013. Totals for 2012 are as follows: Refer to Appendix B.

- New Offenses Filed Felony - 308
- New Offenses Filed Misdemeanor - 633
- Technical Violations Filed - 883
- Total VOP's Filed – 1,824
- Dispositional Outcomes
 - Felony – 526
 - Misdemeanor – 1,034
 - Total Dispositional Outcomes – 1,560

3. *“2013-2014 OPCA (DCJS) Community Corrections RFA (State Aid Application): Probation Analysis and Planning File”*, one, two three years recidivism. NYS DCJS/OPCA, Date Prepared 2/14/13.

Target Population – All risk levels of criminal offenders sentenced to probation.

Recidivism and Case Outcomes

- Felony Re-arrests within one, two and three years of being sentenced to probation in 2011 – 8.4% one year, 2010 - 14.0% two years, 2009 -18.7% three year follow-up.
 - Adult Supervision Outcomes – 3,622 Positive Outcomes or 72% Successful, while State Average is 67% positive.
4. *Parolee/Probationer Recidivism Arrests: Percent of Total Arrests within County 2003-2012.*” NYS DCJS Crimestat Report, February 21, 2013 (Refer to following table & Appendix B.)

Target Population - All Suffolk County parolees' and probationers' recidivism arrests annually.

- Between 2003 and 2012, Suffolk probationer recidivism arrests for Felony Drug Offenses were reduced from 118 to 62, a -47.5% reduction, and from 90 to 62 or -31.1% between 2011-2012. Probationer violent felony offenses were reduced by -13.7% and total felony offenses by -31.7% between 2003 and 2012.
- Between 2003 and 2012, Suffolk parolee arrests for VFO were reduced from 67 to 56 or -16.4, and decreased from 58 to 56 between 2011 and 2012, a 3.4% decrease. Total Parolee Felonies decreased by -14.9% 2003 and 2012.

Table 4
SUFFOLK COUNTY ARRESTS
Data as of 1/28/13

	2003	2011	2012	% Chance 2011 vs. 2012	% Change 2003 vs. 2012
Total Arrests	26,027	25,965	25,657	-1.2%%	-1.4%
Parolee Arrests within County					
VFO-Violent Felony	67	58	56	-3.4%	-16.4%
Drug Felony	59	54	57	5.6%	-3.4%
VTL Felony	22	17	20	17.6%	-9.1%
Other Felony	101	86	79	-8.1%	-21.8%
Total Parolee Felonies	249	215	212	-1.4%	-14.9%
Percent of Total Felony	3.4%	3.4%	3.5%		
Total Parolee Misdemeanors	438	334	300	-10.2%	-31.5%
Percent of Total Misdemeanor	2.3%	1.7%	1.5%		
Total Parolee Arrest	687	549	512	-6.7%	-25.5%
Percent of Total Arrest	2.6%	2.1%	2.0%		
Probationer County Arrests					
VFO-Violent Felony	131	122	113	-7.4%	-13.7%
Drug Felony	118	90	62	-31.1%	-47.5%
VTL Felony	156	138	120	-13.0%	-23.1%
Other Felony	397	266	253	-4.9%	-36.3%
Total Probationer Felonies	802	616	548	-11.0%	-31.7%
Percent of Total Felony	10.9%	9.9%	9.1%		
Total Probationer Misdemeanors	1,228	1,182	1,153	-2.5%	-6.1%
Percent of Total Misdemeanor	6.6%	6.0%	5.9%		
Total Probationer Arrest					
Percent of Total Arrest	2,030	1,798	1,701	-5.4%	-16.2%
	7.8%	6.9%	6.6%		

Suffolk County Drug Court Research (Number 5)

5. *“The New York State (Suffolk County Drug Treatment Court) Adult Drug Court Evaluation: Policies, Participants and Impacts”*, Court Innovation 197-216, selected by U.S. Dept. of Justice, Office of Justice Programs, as an exemplary project in 2013, Crime Solutions.gov.

Recidivism Outcomes

- The Suffolk County Drug Treatment Court had a substantial impact on reducing recidivism rates up to three years after. After one year, 20% of drug court participants had an arrest compared to 41% of the comparison group.
- Regular post program recidivism, within one year of exiting the criminal justice system, 32% of comparison group recidivated as compared to 23% of drug court participants – a 28% reduction in recidivism.

Multiple-Recidivist Drunk Driver Research (Number 6)

6. *DWI Jail Alternatives Facility and Probation Addictions Treatment (PAT) Program*. 2011 Recidivism Outcomes, based on NYS DCJS/OPCA IPRS (Integrated Probation Registrant System of finger printable offenses) for 2011.

Target Population - High recidivism risk, multiple recidivist drunk drivers. (N=231)

Recidivism Outcomes

The following table illustrates recidivism among probationers supervised by the DWI PAT Program. There were 37 incidents of arrest committed by 33 probationers or 14.3% of the 231 PAT clients in 2011. 85.7% remained arrest free. The DWI recidivism rate was 3% or 7 individuals committed 9 incidents.

TABLE 5: Type of Rearrests 1/01/11 – 12/31/11
Probation Alcohol Treatment Program (PAT)

Charges	Incidents	Individuals
DWI	7	7
Circumventing an Interlock Device	5	3
Petit Larceny	3	2
Criminal Trespassing	0	0
Reckless Endangerment	0	0
Agg. Unlicensed Oper. Motor Veh.	14	13
Improper Insurance	1	1
Assault	1	1
Menacing	1	1
Crim. Poss. Controlled Substance	1	1
Oper. Veh. Impaired by Drugs	1	1
Endangering Welfare of Child	1	1
Harassment 2	1	1
Criminal Contempt	1	1
Total	37	33

Re-arrests in the PAT caseload – 1/1/11 – 12/31/11

Charge Category	Number of Arrests
Misdemeanants	17
Violent Felony	2
Non-Violent Felony	9
DWI Recidivism	9

Original Grant Recidivism Research (Numbers 7-14)

7. *“Planning and Evaluation Report of the PAT Demonstration Project: Thirty Month Report, 1982.”*

The Special Traffic Options Program for Driving While Intoxicated (Stop-DWI) was initiated by Chapters 910 and 913 of 1981 State Legislation. Suffolk Probation’s program was originally funded with Special State funding and is now partially funded under Suffolk County’s Stop-DWI Plan. Suffolk’s PAT program received additional funding for 1981,

1982, and 1983 and received State reimbursement, as well as partially supported with STOP-DWI funding. Currently funded by partial NYS reimbursement and partial Suffolk DWI fines.

Target Population – Highest recidivism risk, multiple-recidivist, drunk drivers. (N=109)

Recidivism Outcomes

- After an average follow-up time of 20.4 months for the first 109 multiple recidivists supervised between 7/1/79 and 12/31/80; the percentage of individuals rearrested for DWI offenses was 11.9%; the rate for other, non-DWI criminal offenses was 5.5%; and the total re-arrest rate was 17.4%.
 - Regarding comparative effectiveness, for the PAT project, 17.4% of the probationers were rearrested; as compared to 37.5% re-arrests of the DWI population of the federally funded 'Improved Correctional Field Services Project (ICFS). This difference was statistically significant.
 - The PAT intensive special supervision approach seems especially effective with medium recidivism risk cases regardless of the Mortimer-Filkins score. For the PAT project, 3.1% of the population classified as medium risk cases were rearrested for DWI offenses; as compared to 18.8% with the 1978-79 comparison group; and 27.3% from the ICFS project population.
8. *“Statistical Summary of the Planning and Evaluation of the Suffolk County Jail Alternative Program: 45-Month Update.”* September 1989, submitted to NYS DPCA after expanding to 24 hr. correctional/treatment facility.

Target Population - Highest risk, multiple Recidivist Drunk Drivers. (N=120 first cohort.)

Recidivism Outcomes

- As of August 31, 1983, 360 multiple recidivist drunk drivers were sentenced to the Phase I – the DWI Facility and Phase II - Probation Intensive Supervision.
- As of September 1987, the first cohort of 120 offenders was sentenced to the program.
- The first cohort of 120 project participants entered the program between 12/85 and 9/87 and were responsible for 630 prior criminal arrests of which 406 arrests were for DWI offenses. Each offender had an average 5.3 prior arrests, not including the

current offense or recidivism arrests. This population was responsible for over 765 total criminal arrests.

- Comparative analysis of the DWI Jail Alternatives program group and this matched sample comparison group documented that 25 out of 120 project participants, or 20.8% were rearrested as compared to 37 out of 106 individuals or 34.9% in the comparison group. These results represent a 40.1% reduction in recidivism by the DWI Jail Alternatives Project which was statistically significant at the .027 level.
- Additionally, the 25 individuals classified as recidivists in the DWI Jail Alternatives population were responsible for a total of 38 new arrests, while the 37 recidivists in the comparison group were responsible for a total of 81 new offenses.

9. *“Ten Year Evaluation of the PAT Correctional Treatment Approach with the Multi-Recidivist Drunk Driver,”* Suffolk County Probation Evaluation, January 1990.

Target Population – Highest recidivism risk, multiple-recidivist drunk drivers

Recidivism Outcomes

- Between 1979 and 9/25/89, 1,396 multiple-recidivist, drunk drivers were sentenced to the PAT program. On 9/25/89, 405 probationers were receiving intensive treatment services.
 - After a 12-month follow-up period, 5.8% of the DWI population had been arrested for DWI offenses.
 - After a two-year follow-up, 10.8% of the multiple recidivists in PAT were arrested for DWI offenses, as compared to 24.5% for the comparison group. Accident rates were 5.8% and 7.5% respectively.
 - After a 56 month follow-up period, 31.5% of a multiple recidivist PAT group were rearrested for DWI, as compared to 61.4% of the comparison group.
10. *“Domestic Violence Program Recidivism – 2007,”* Suffolk County Department of Probation specialized Domestic Violence Program Evaluation, 2009 Probation Requested Budget, June 2008.

Target Population – High and Medium risk adults convicted of Domestic Violence crimes. (N=296)

Recidivism Outcomes

A Domestic Violence Recidivism Study was conducted on the 296 cases in the Domestic Violence Unit during 2007. Of those 296 cases, there were 66 re-arrests during the year. Those 66 new offenses were committed by 43 individuals. **(Re-arrests/recidivism consists of only finger printable offenses.)*

Domestic Violence Program Recidivism

- 84.5% of offenders in the Domestic Violence Program did not commit new offenses during 2007.
- 14.5% (n=43) of those individuals in the domestic violence program committed new offenses.
- 8.4% (n=25) offenders in the domestic violence program had new arrests related to domestic violence (*harassment, physical violence or destruction of property*).
- Of the 8.1% (n=25) of offenders with new arrests related to Criminal Contempt almost 44% (n=11) were not attending the domestic violence program regularly. *Data unavailable for almost 24% (n=6).*
- 4.4% (n=13) offenders in the domestic violence program (296 in program) had a new arrest related to physical violence directed at their spouse/girlfriend.
- Of the 20 offenders that had a new arrest for a violent offense, 30% (n=6) were not compliant with treatment. 55% (n=11) were not regularly attending the domestic violence program. *Data unavailable for 10% (n=2).*
- Less than 1% (n=1) of offenders in the domestic violence program (296 in program) had a new arrest related to destruction of property (*destruction of spouse/girlfriends property*).
- 2.4% (n=7) of the offenders in the domestic violence program (296 in program) had a new arrest related to harassment directed at their spouse/girlfriend (*verbal calls or threats*). Of those offenders 57.1% (n=4) were not attending the domestic violence program regularly.

11. “*Adolescent Sex Offender Project: Sixth Interim Report*,” (1/1/87-3/31/87) with Eighteen Month Evaluation (10/1/85-3/31/87, Suffolk County Probation Department, April 1987. NYS DCJS Grant #3117 – federal funding.

Target Population – All Adolescent Sexual Offenders sentenced to probation (all recidivism risk levels). (N=75)

Recidivism Outcomes

- At the end of 18 months of operation, 86 cases were screened, 11 cases were rejected, and 75 received intensive probation, correctional treatment services.
 - Program Recidivism – 4 program participants or 5.3% were rearrested (one for Criminal Trespass, two for UUMV, one for DWI). 0% recidivism for sex offenses.
 - Eight (8) Violations of Probation were filed.
12. *2012 Suffolk Day Reporting Program (DRC)*
New York State Office of Alcoholism and Substance Abuse Services (OASAS) evaluated the 2011 substance abuse services of Suffolk’s DRC program for high risk, jail bound offenders (N=95). DRC’s program score rating was reported by OASAS on 8/29/12 and is as follows:

Table 6 – OASAS Evaluation of DRC

Outcomes	DRC Program Score Rating	Statewide Score Rating
One month retention	96	78
Three month retention	90	72
Six month retention	84	53
% completing program or referral	67 (5 star)	45 (3 star)

Suffolk DRC received excellent performance ratings for 2011.

Outcomes	DRC Program Score Rating	Statewide Score Rating
% with Discontinued Use	78	68
% Maintaining FT/Improve employment	77	45

13. *GPS/Electronic Monitoring/SCRAM/Probation Supervision*
Suffolk Probation was awarded NYS DPCA special State funds in 1987, to field test Electronic Monitoring and evaluate this new technology’s impact on criminal recidivism and correctional supervision. The findings were submitted to NYS DPCA and Suffolk Probation continued use as a potential recidivism reduction component of supervision.

GPS/EM/SCRAM are not used independently in the Suffolk County Courts, but rather as Conditions of Probation. No controlled experimental evaluation has been conducted with Probation GPS/SCRAM, and no claims of reducing recidivism are justified at this time. However, outcomes or results for probationers sentenced to probation and monitored by GPS/EM(RF)/or SCRAM technology are as follows:

Outcomes 2012

- Total # of cases supervised for SCRAM (Secure Remote Alcohol Monitoring) – 183 (Includes all individual cases under supervision from 01/01/12-12/31/12; 59 cases carried over from 2011)
- Total # of cases supervised for EM (Electronic “RF” Monitoring) – 45 (Includes all individual cases under supervision from 01/01/12-12/31/12; 10 cases carried over from 2011)
- Total # of cases supervised for GPS (Global Positioning System) – 163 (Includes all individual cases under supervision from 01/01/12-12/31/12; 48 cases carried over from 2011)
- Successful Completions for GPS – 130 or 80% successful (Includes 1 individual who died while under supervision, and all cases monitored under SRP – whether subsequently sentenced to probation supervision or not.)
- Unsuccessful Terminations from GPS – 33 or 20% unsuccessful (“Unsuccessful” being defined as individuals removed from community-based supervision due to re-arrest or other significant non-compliance).

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14. *Second Chance Grant for MICA Probationers*, Federal funding was awarded in February 2011 to the CJCC from the Second Chance Act Reentry Demonstration Program: Targeting Offenders with Co-occurring Substance Abuse and Mental Health Disorder. The award is for \$591,112 for two years. The monies are 100% reimbursable.

Target Population – The Second Chance Act grant is serving high-risk offenders who have been dually diagnosed with serious mental health disorders and alcohol or substance addictions. These offenders are served through the Suffolk County Probation Day Reporting Program (DRC) which is operated through a joint effort between Probation and Community Mental Hygiene. The program is licensed to provide mental health and substance abuse services to probationers. The Second Chance Act program serves 24 adults (male and female) in year one and 24 in year two.

Recidivism Outcomes

The Second Chance Act grant is being evaluated through federal grant funding and will be available in 2014. Recidivism reduction is being measured for this high-risk population as well as pro-social and criminogenic factors.

Annual Recidivism Rates by Special Probation Program and Crime (Numbers 15 -20)

15. *2007 Criminal Court Probation Recidivism Rates, (Annual Recidivism of Specialized Supervision and ATI programs).* Suffolk County Probation Department, NYS DCJS IPRS arrest data of finger printable arrests, March 2008. (Includes Annual Felony/Misdemeanor, Violent Felony, and Types of Re-arrests)

Target Populations – All recidivism risk probationers during 2007.

High Recidivism Risk – Below listed programs - *B,D,E,F,G*.

- A. **Total Probation Supervision** – 9.6% rearrested, 4.4% felony, 1.4% violent felony
 - B. **PAT/ DWI Jail Alternatives** – 9.4% rearrested, 5.7% felony, 2.0% DWI
 - C. **Sex Offender Program** – 4.9% rearrested, 2% felony recidivism. 1.3% violent felony, 0.2% sex offense
 - D. **Domestic Violence Program (DVP)** - 14.5% rearrested, 9.5% felony, 7.4% violent felony, 8.1% crim. contempt
 - E. **Day Reporting (DRC)** – 8.2% rearrested, 3.1% felony recidivism, 0% violent felony
 - F. **Intensive Supervision Program (ISP)** – 27.2% rearrested, 14.3% felony recidivism, 5.1% violent felony, 10.6% drugs
 - G. **Gang Reduction Intervention Project (GRIP)** – 31.1% rearrested, 13.7% felony recidivism, 7.1% violent felony, 6.6% drugs
 - H. **Mental Health Unit** – 12.5% rearrested, 5.1% felony, 2.1% violent felony, 0.4% assault
 - I. **SRP/TANF/Drug Court** – 1.9% rearrested, 0.6% felony recidivism, 0.3% violent felony, 0.3% robbery
 - J. **Regular Probation Supervision** – 11.1% rearrested, 5.8% felony recidivism, 1.4% violent felony, 0.8% assault. (Refer to Sections V. 15-20)
16. *Evaluation of Recidivism by Specialized Program – Calendar Year 2006,* Suffolk County Department of Probation – DCJS IPRS finger printable arrest data, Prepared March 2007. (Includes Felony/Misdemeanor, Violent Felony, and Types of Re-arrests)
- A. **Total Probation Recidivism** – 9.8% rearrested, 4.7% felony recidivism, 1.7% violent felony offense

- B. **PAT and DWI Jail Alternative Facility** – 5.7% rearrested, 3.7% felony, 0.5% violent felony offense, 1.1% DWI
- C. **Sex Offender Program** – 6.4% rearrested, 2.8% felony, 1.6% violent felony offense, 0.7% sex offense
- D. **Domestic Violence Program (DV)** – 14.4% rearrested, 9.3% felony, 6.1% violent felony offense, 7.1% crim. contempt
- E. **Day Reporting (DRC) Program** – 18.4% rearrested, 6.1% felony, 1% violent felony offense
- F. **Intensive Supervision Program (ISP)** - 21.5% rearrested, 9.8% felony, 3.9% violent felony offense
- G. **Gang Reduction Intervention Project (GRIP)** – 23.3% rearrested, 10.7% felony, 7.3% violent felony offense
- H. **Mental Health Program** – 15.7% rearrested, 8.4% felony, 5.3% violent felony offense
- I. **SRP/TANF/Drug Court Program** – 1.2% rearrested, 0.2% felony, 0.2% violent felony offense
- J. **School Based Program** – 0%, 0%, 0% Level III Supervision – 3.3% rearrested, 1.5% felony, 0.2% violent felony offense
- K. **Regular Probation Supervision** – 11.1% rearrested, 5.2% felony, 1.8% violent felony offense
- L. **Narco Caseload** – 25.5% rearrested, 12% felony, 2.9% violent felony offense, 10.3% drugs

17. “*Suffolk County Department of Probation’s 2005 Recidivism Arrest Statistics*”, NYS DCJS IPRS finger printable arrests, March 2006.

- **Total Probation Supervision Recidivism** – 9.5% rearrested, 4.4% fel. rec., 1.7% violent felony
- **Total Probation Supervision Recidivism** – 9.1% rearrested, 4.7% felony, 1.8% violent felony offense
- **Sex Offender Program** – 9.2% rearrested, 3.1% felony, 1.8% violent felony offense
- **Domestic Violence Program (DVP)** – 14.9% rearrested, 9.4% felony, 6.9% violent felony offense, 8.3% crim. contempt
- **Day Reporting (DRC)** – 14.3% rearrested, 8.4% felony, 2.5% violent felony offense
- **Intensive Supervision Program (ISP)** – 24.5% rearrested, 14.4% felony, 4.8% violent felony offense
- **Gang Reduction Intervention Project (GRIP)** – 23.7% rearrested, 11.6% felony, 6.7% violent felony offense

- **Mental Health Unit** – 8.4% rearrested, 2.8% felony, 1.4% violent felony
- **SRP/TANF/Drug Court** 2.7% rearrested, 0.7% felony, 0.0% violent felony
- **Level III Supervision** – 3.2% rearrested, 1.7% felony, 0.3% violent felony offense
- **Regular Probation Supervision** – 11.3% rearrested, 4.8% felony, 1.9% violent felony offense

18. *“Suffolk County Probation’s 2004 Recidivism Rates by Program and Types of Offenses”*: NY DCJS PRS finger printable arrests, Prepared March 2005

- **Total Probation Recidivism** – 12.1% recidivism., 4.2% felony, 1.1% violent felony offense
- **PAT and DWI Jail Alternative Program** – 5% rearrested, 2.1% felony, 0.9% violent felony offense, .9% DWI
- **Sex Offender Program** – 9.4% rearrested, 2.7% felony, 1.6% violent felony offense, 1.1% sex offense
- **Domestic Violence Program** – 21.4% rearrested, 12.4% felony, 2.0% violent felony offense, 10.4% criminal contempt
- **Day Reporting (DRC) Program** – 12.6% rearrested, 4.4% felony, .006% violent felony offense
- **Intensive Supervision Program (ISP)** – 27% rearrested, 11.5% felony, 2.9% violent felony offense, 8.2% drugs
- **Gang Reduction Intervention Project (GRIP)** – 28.2% recidivism., 14.5% felony, 4.5% violent felony offense
- **Mental Health Unit** – 9.2% rearrested, 2.9% felony, 0.5% violent felony offense, 0.5% assault
- **SRP/TANF/Drug Court** – 2.5% rearrested, 1% felony, 0.0% violent felony offense
- **School Based Program** – 20% rearrested, 15% felony, 5% violent felony offense
- **Level III Supervision** – 3.1% rearrested, 1.4% felony recidivism, .07% violent felony offense
- **Regular Probation Supervision** – 10.5% rearrested, 4.7% felony, 1.3% violent felony offense

19. *“2003 Criminal Court Probation Recidivism Rates”*, NY DPCA/DCJS PRS finger printable recidivism arrests, April 2004, Prepared by Suffolk County Probation, April 2004.

- **Total Probation Recidivists** – 9.7% rearrested, 4.4% felony
- **Regular Probation** – 11.2% rearrested, 5.2% felony, 1.7% violent felony

- **Level III Probation** – 4.2% rearrested, 1.6% felony, .13% violent felony
- **Sex Offender Program** – 7.8% rearrested, 2.5% felony, 0.9% violent felony, 1.1% sex offense
- **Mental Health Program** – 12.7% rearrested, 2.5% felony, 0.5% violent felony, 2.5% assault
- **PAT/DWI Jail Alternatives Program** – 9.4% rearrested, 6.3% felony, 1.3% violent felony offense, 2.8% DWI
- **Intensive Supervision Program (ISP)** – 15.2% rearrested, 7.1% felony, 1.2% violent felony offense
- **Day Reporting (DRC) Program** – 14% rearrested, 4.5% felony, 1.3% violent felony offense
- **Domestic Violence Program (DVP)** – 22.5% rearrested, 11.1% felony, 7.0% violent felony offense, 10.3% crim. contempt
- **Gang Reduction Intervention Project (GRIP)** – 26% rearrested, 11.5% felony, 8.7% violent felony offense
- **SRP/TANF/Drug Court** – 2.1% rearrested, 0.5% felony, 0% violent felony offense
- **School Based Program** – 24% rearrested, 8% felony, 4% violent felony offense

20. “2001 Criminal Court Probation Supervision and Special Programs”. NYS DCJS PRS finger printable recidivism arrests. Prepared by: Suffolk Probation, January 15, 2002

- **Stop DWI Alternative to Incarceration Program** – 7.4% rearrested, 4.3% felony, 2.0% violent felony offense, 6 or 1.4% DWI
- **Special Offender Program (Adult Sex Offender)** – 6.7% recidivism, 3.2% felony, 1.5% violent felony offense, 0.9% sex recidivism.
- **Day Reporting Center (DRC)** – 15.9% recidivists, 8.7% felony, 3.2% violent felony offense
- **Intensive Supervision Program (ISP)** – 17.6% recidivism, 8.9% felony, 4.2% violent felony offense
- **Batterers (Partner Abuse) Program** – 16.3% recidivism, 9.8% violent felony offense, 11.2% felony, 0.5% sex offense, 9.9% crim. contempt
- **Gang Unit Program** – 28.9% recidivism, 17.8% felony, 13.3% violent felony offense
- **Regular Supervision** – 9.5% rearrested, 5% felony, 1.7% violent felony offense

Alternatives To Incarceration (ATI) Outcomes (Numbers 21-27)

21. *2011 Probation Pretrial Services and Supervised Release. “2011 ATI Pretrial Service Evaluations”,* NYS Office of Probation and Correctional Alternatives ATI Unit, March 6, 2012

	<u>2011</u>	<u>2012</u>
• Number Screened	17,041	17,246
• Number Interviewed	16,932	17,120
• Total # Released	9,935	6,883
• Percent Released	58.7%	57.5%
• Total # Under Pretrial Release (2011)	1,211	864
• Persons Failure to Appear (FTA)	11	9
• Suffolk FTA Rate	0.9%	1.0%
• State FTA Rate Average	2.6%	N/A

22. *2011 Suffolk DWI Jail Alternatives Program,* NYS Office of Probation and Correctional Alternatives, ATI Unit. March 6, 2012

	<u>2011</u>	<u>2012</u>
• Interviewed/Assessed	293	N/A
• Admissions/Placements	169	
• Satisfactory Completion Rate	98.8%	
• Average NYS Completion Rate	72.1%	

23. *2011 Suffolk Treatment Alternatives to Safer Communities (TASC)*

	<u>2011</u>	<u>2012</u>
• Interviewed/Assessed	293	N/A
• Admissions/Placements	293	
• Satisfactory Completion	178	
• Unsatisfactory Termination	31	
• Completion Rate	85.2%	
• Average NYS Completion Rate	75.6%	

24. *2011 Suffolk County Community Service Program*

	<u>2011</u>	<u>2012</u>
• Number Placed	182	N/A
• Satisfactory Completion	95	
• Unsatisfactory Termination	38	
• Completion Rate –	71.4%	
• Average NYS Completion Rate –	86.5%	

Note: Suffolk County Red Cross discontinued services; Probation continued partial services until full services were restored by EAC in November 2012.

25. *Suffolk Defender Based Advocacy Program.* ATI operated by Suffolk Legal Aid Society of Suffolk County, Inc. in order to reduce jail overcrowding. Quarterly progress reports are presented at CJCC and forwarded to NYS DCJS

First Three Quarters of 2012

- Total Plans Prepared – 74
- Total Plans Accepted – 74
- Percent of Plans Accepted – 100%

26. “*2012 Suffolk Probation Restitution Condition of Probation Outcomes*”. Prepared by: NYS DCJS/OPCA in March 2013.

- Suffolk Probation collected **\$1,405,038.49** in offender restitution in 2012 which ranked **#1** out of the 56 Probation counties outside of New York City.
- Suffolk Probation ranked **#1** (outside of NYC) in restitution collections in 2010, 2011, and 2012 totaling a total of **\$3,758,989.77**.
- In DWI restitution and fees, Suffolk Probation collected **\$1,619,753** which ranked **#1** in New York State including New York City.
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27. “*2010 Statewide Outcomes – Alternative to Incarceration (ATI) Programs*”, NYS DCJS/OPCA ATI Outcome Evaluations continue to provide critical services to New York State’s criminal justice system by providing cost effective programs that reduce unnecessary reliance on incarceration, reduce recidivism and promote public safety and assist individuals change their behaviors and lead law-abiding lives. March 7, 2011

Highlights of the 2010 reports include the following:

- **Community Service Programs** report that 87.5% of participants successfully complete the service.
- **Pretrial Services Programs** report 30,162 releases with an overall Failure to Appear Rate (FTA) of 3.1.
- **Specialized Drug and Alcohol Service Programs** report 13,747 individuals placed in programs with 71.2% completing.
- **Defender Based Advocacy Programs** prepared 2,756 individualized client-specific plans and 2,511 or 91% were accepted by the Courts.
- **TASC Model Programs** report 5,378 placements and 4,234 or 79% successful completions.

Probation and ATI Recidivism Outcomes (Numbers 28-35)

28. *"Probationer Felony Re-Arrest Rates Following Sentence to Probation"*, NYS DCJS Crimestat Report, Date Prepared 3/22/11. This report prepared by NY State documents the percent of sentences probationers arrested for felony crimes annually or the 2000-2009 period.

Felony Arrests	2000	2005	2007	2009
One Year %	11.4%	12.2%	8.8%	8.9%
Two Year %	18.4%	19.2%	14.3%	N/A
Three Year %	22.8%	24.3%	19.4%	N/A

29. *Probationer Felony Re-Arrest Rates Following Sentence*, NYS DCJS, Crimestat Report, November 22, 2010

- Probationer Re-arrest Following Sentence, 10 Year Trends
- Felony Arrests Within One, Two, and Three Years of Sentences

Felony Arrests	1999	2006	% Violent Felony
One	12.5%	11.7%	2.5%
Two	19.3%	18.3%	4.2%
Three	23.7%	23.3%	5.8%

30. *Probationer Felony Re-Arrest Rates Following Sentence*, NYS DCJS DPCA, Date Prepared 5/26/09

Felony Arrests	1998	2005
One	11.7%	12.1%
Two	18.8%	19.2%
Three	23.5%	24.3%

31. *Preventing Youth Gang Proliferation in Suffolk County: A Comprehensive Approach*. Monograph published by the Suffolk County Juvenile Crime Prevention Commission, Hauppauge, N.Y. in cooperation with the CJCC and Probation. Partially supported by Grant #NC97769830, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Dept. of Justice Programs, U.S. Dept. of Justice. October, 1999.

- Risk factors for gang membership are very similar to the predictive risk factors of youth violence, crime and delinquency. Researchers have found predictive risk factors for youth gang membership in the five domains of community, peers, individuals, family and school.
 - According to the results of the Rochester Youth Development Study, which is investigating the causes and consequences of adolescent delinquency, gang membership had a strong impact on the incidence of violent behavior even when other risk factors (such as poverty and delinquent peers) were held constant. This indicates that the high rates of violence by gang members were not simply the result of the accumulation of risk in their backgrounds.
 - The results of NIJ's Comparative Study of Criminal Behavior, Youth Gangs and At-Risk Youth suggest that the criminal careers of gang members begin with property offenses (e.g. auto theft, burglary) and progress within 1.5 to 2 years to drug-related crime and violent crime. The data suggest that an important opportunity exists for aggressive intervention during the early years of gang involvement
 - Most significantly, the NIJ research found that contrary to popular belief, youths can resist overtures to join a gang without serious reprisals; and when reprisals did occur, they were milder than the assaults endured by youths during their gang initiation. These findings provide an important component for gang prevention programs for at-risk groups.
32. *"Recidivism Rates of Sex Offenders in a Specialized Treatment Program in the Suffolk County Department of Probation,"* State University of NY at Stony Brook, Stephen M. Brett, January 1994.
- Documented a recidivism rate of 7.1% for the Level I, Special Offender Project/sex offender population for the period 3/1/90 – 2/28/93, as compared to overall departmental recidivism of 28.3%, and 47.0% for all departmental Level I (high risk cases)
33. *"An Analysis of the Multiple Recidivist Juvenile Delinquent Population in Suffolk County,"* Suffolk County Department of Probation, January 1979.
- In those cases petitioned to court, the existence of prior arrests significantly increased the rate of subsequent involvement in delinquent behavior. 66.7% or two-thirds of the juveniles petitioned to court, who had prior offenses, were arrested again during the nine month follow-up period.

- Of those youngsters petitioned to court on any charge who had 2 or more prior arrests for Burglary, the recidivism rate was 92.9%. This is dramatically higher than the already serious recidivism rate of 69.2% for those cases petitioned to court with 2 or more priors for any offense.
- The frequency of repeated arrests in those cases petitioned for Burglary, at 69.6%, is also significantly higher than the 56.0% recidivism rate for the total sample of cases petitioned to court.
- The existence of prior arrests for any offense raised the proportion of re-arrests among those cases petitioned for Burglary to 80.0%. Four out of every five youngsters who were petitioned to court for Burglary and who had at least one prior arrest for any offense were arrested again in the follow-up period.
- The small number of recidivist cases, 2 out of a total sample of 50, in those cases closed as adjusted at JSS, makes a valid statistical analysis of the recidivist population in this category impossible. However, it can be noted that the recidivism rate in those cases in this sample with no prior offenses was 0%.

34. *Probation Pervasive Drug Testing Federal Grant - Evaluative analysis and experimental design measuring the impact of on-site drug testing technology on probationer recidivism.* FFY 1991 Federal Anti-Drug Abuse funding, DCJS #NC90707330.

- The Suffolk County Department of Probation was awarded funding under the Federal Anti-Drug Abuse Act to increase the substance abuse testing capabilities of the Suffolk County Probation Department and to evaluate the deterrent effect of pervasive drug testing on the probationer population. In this project, the funding was utilized to purchase drug testing kits that enabled Probation Officers to conduct frequent, unannounced field drug tests on probationers who have such conditions attached to their probation status. With this field testing equipment, the results of the tests are immediately available to the Probation Officer.

Outcome – Assisted in changing probation officer capability of detecting drug abuse in the field setting. Now a standard tool used in Criminal Court supervision operations.

35. *Planning and Evaluation Study of the Suffolk County DWI Jail Alternatives Program: Twenty-Four Month Report*, April 1988. Submitted to NYS DCJS/OPCA.

Target Population - Highest level of Recidivism Risk

Outcomes

- The project population consisted of Suffolk County's most serious drunk driving population. Two subgroups of the target population were identified: the 'DWI Dominant' and the 'Criminal Dominant'. (N=120)
- The 120 project participants analyzed in this study were responsible for 628 prior criminal arrests of which 402 arrests were for DWI offenses. Each offender had an average of 5.3 prior arrests, not including the current offense or recidivism arrests. This population was responsible for over 765 total criminal arrests.
- Out of the recidivism total, two individuals or 1.7% were rearrested for felony DWI crimes; while an additional 5 individuals or 4.2% were rearrested for DWI misdemeanor offenses. Therefore, 7 out of 120 offenders or 5.8% were rearrested for DWI offenses after an average follow-up period of one year.
- After an average follow-up period of 348 days for the 120 individuals accepted into the program between December 1985 and September 1987, 3 individuals or 2.5% had been arrested for a felony crime; and an additional 11 individuals or 9.2% were rearrested for misdemeanor crimes. Thus 14 high risk individuals out of 120 or 11.7% had been subsequently rearrested for felony or misdemeanor offenses.

Regarding the DWI Alternative Program's impact on jail overcrowding, and after computing time off for good behavior, the actual reduction in sentenced jail days with this program equaled 8,402 days care saved during the first nineteen months of program operation.

36. *"Fifteen Month Planning and Evaluation Report of the 'Special Offender Program' in Suffolk County,"* Suffolk County Probation Department, January 1988. Target population was sex offender and mentally ill probationers.

Outcomes

- Between 10/1/86 and 12/31/87, 4 individuals or 4.8% were arrested for a felony crime, and 6 individuals or 7.2% for a misdemeanor for a total 12% recidivism rate.
- No recidivist felony sex arrests were recorded during the first 15 months.
- No felony recidivism crimes were recorded by probationers with mental illness.
- The overall recidivist rate was 12% during this initial evaluation period.

37. *Planning and Evaluation Report of the Probation Alcohol Treatment Program (PAT) Demonstration Project in Suffolk County: Eighteen Month Report*, National Criminal Justice Reference Service NCJ #77510, (1981).

Target Population – Highest Risk, Multiple Recidivist Drunk Drivers

Outcomes

- During the first eighteen months of project operation, 475 Criminal Court 'Driving While Intoxicated' presentence investigations were conducted using the Mortimer-Filkins screening instrument.
- During the first eighteen months, 151 individuals were accepted into the intensive community supervision component of the program.
- The project population is the appropriate target group identified in the original grant proposal. The 109 individuals receiving intensive services during the first twelve months had been charged with 256 prior DWI/DWAI offenses; 284 additional prior criminal offenses; and 377 prior motor vehicle violations. All of the cases were ineligible for the State DDP program, and including the present offense, were responsible for a combined total of 1,028 criminal charges and violations.
- The DWI recidivism arrest rate for the first 109 multiple DWI offenders was 5.5% after an average follow-up period of 11.7 months.
- The DWI recidivism arrest rate for the first 64 multiple DWI offenders supervised an average of 14 months was 7.8% or 5 out of 64 individuals. Individuals in this group had been on probation between 11 and 17 months at the time of follow-up.
- The total accident rate for the 109 probationers on probation between 5 and 17 months was 2.8% or 3 accidents.

Predicting Recidivism (Numbers 38-43)

38. *Sentenced Probationers*

- A. NYS DCJS/OPCA NY COMPAS Assessments 2nd Quarter 2011 Summary Report,
 - B. NY COMPAS January – June 2011 Case Reviews by County.
- Statistical validation of COMPAS is ongoing by jurisdiction.

39. *Two-Year Follow-Up of the Improved Correctional Field Services Project: A Preliminary Analysis, Suffolk County Department of Probation Report, Suffolk County, New York, (1981), pp. 1-23, U.S. Dept. of Justice, L.E.A.A/ grant.*

Research Goals - One of the primary goals is to identify major factors that prevent recidivism.

Target Population - The population represented a stratified random sample of the Suffolk County Criminal Court population using statistically valid sampling procedures. The sample was comprised of 283 adult probationers.

Results

After 22 months, 62.2% of the probationers were arrest-free or non-recidivists; Significant factors (all < .01 level of significance) between recidivists and non-recidivists with recidivists scoring positively were as follows:

- Current alcohol and/or drug abuse
- Unemployment
- Lack of Family and Community ties
- Lower Age at sentence
- History of Drug Abuse
- High Risk Level

Increased number of Supervision contacts by itself did not reduce recidivism. This research was one of the first federally funded research projects that documented that intensive contacts, by itself, did not reduced criminal recidivism.

40. *“The Relationship Between Symptoms of Illness and Criminal Justice System Involvement in Two Cohorts of Individuals with Serious and Persistent Mental Illnesses.”* School of Social Welfare, Stony Brook University, Stony Brook, NY 11794-8231, October 14, 2010.

Results

- These Suffolk County findings suggested that unrecognized and untreated mental illness might leave an individual vulnerable to involvement with the criminal justice system and recidivism.
- There were differences in the distribution of race/ethnicity across diagnostic categories and differences in ratings of severity of illness and frequency of mental health treatment between Caucasians and African Americans, with African Americans generally having greater severity of illness ratings and lower levels of treatment. This was theorized to be related to the possibility that African American subjects may have had less access to culturally competent treatment at earlier stages of their illnesses, which, in turn, may have made them more vulnerable to law enforcement encounters and subsequent recidivism.

41. Gottfredson, Don M.; Finckenauer, J.; Taxman, F., *Risk, Supervision and Recidivism: The First Six Months of Recorded Experience in the Suffolk County Improved Correctional Field Services Project*, Rutgers University for the Law Enforcement Assistance Administration Washington, D.C., (1980).
 - Includes the finding that Suffolk Probation's Predictive Risk-Assessment Instrument for Adult Probationers was a powerful predictor of recidivism.
42. "Statistical Validation and Comparative Analysis of the Suffolk Differential Classification System and the New York State Risk-Assessment Instrument," Suffolk County Probation research report, (1979). (Prepared for operation of the Suffolk component of LEAA's 'Improved Correctional Field Services Project'.)
 - Both the NYS and Suffolk County's recidivism predictive instrument were statistically valid and reliable predictors of criminal recidivism of adult probationers.
43. "Differential Classification for the Supervision of Adult Probationers: An Operational Design," Proceedings of the 106th Congress of Corrections of the American Correctional Association, pp 187-201. Suffolk County Department of Probation developed the first Predictive Risk-Assessment Instrument for Adult Probationers in New York State. This was shown to be a statistically powerful predictor of recidivism for Suffolk County probationers.

VI. SYSTEMS PLANNING INITIATIVES

Crime and Recidivism Reduction Initiatives

44. 2005 CFROC Jail Overcrowding Systems Analysis, "Suffolk County Criminal Justice System Analysis and Advisory Recommendations," May 2005. A Planning and Research Report prepared by the CJCC Systems Planning Sub-Committee.

Suffolk County Executive Steve Levy convened a Correctional Facility Review and Oversight Committee (CFROC) in September of 2004 to bring together the key participants in Suffolk County's criminal justice system to:

- Evaluate how the current criminal justice system impacts the utilization of its existing correctional facilities;
- Recommend approaches to possibly limit the second phase of the proposed correctional facility in Yaphank; and

- Provide oversight during construction of the proposed new correctional facility.

The Systems Sub-Committee of the Criminal Justice Coordinating Council (CJCC) was asked to provide detailed technical analysis and evaluation of topics selected by CFROC, and to conduct a systems analysis to improve the efficiency of Suffolk County's criminal justice system. The first and foremost responsibility of the sub-Committee was to ensure public safety.

- Priority issues were selected by CFROC for the Systems Sub-Committee analysis and the results were detailed in the "Report from the CJCC Systems Sub-Committee: Initial Issues Analysis," January 2005.
- The full Systems Sub-Committee continued to meet a total of fifteen times between November 18, 2004 and April 21, 2005 in order to complete a systems analysis of Suffolk County's criminal justice system, make recommendations for systemic improvements, and measure the impact of these recommendations.
- During the first six months, the Systems Sub-Committee surveyed key stakeholders, analyzed Suffolk County's crime trends, studied economic indicators, conducted a 'criminogenic population analysis', and developed a profile of the inmate population based upon a one-day snapshot of the Suffolk County Correctional Facility (*October 5, 2004*).
- All key stakeholders were surveyed regarding critical issues, and local, national and international research were reviewed and integrated into the planning process.

Methods

- An evidence-based, 'systems analysis' approach was employed throughout the Systems Sub-Committee process, and the results are presented within two categories:
 - 1) System Improvements & Policy changes
 - 2) Program Changes

Results

- Twenty-nine major recommendations were agreed upon and reflect the work of the Systems Sub-Committee in identifying actions that would reduce crime, contain costs, and reduce jail overcrowding.
- Calculation of empirical outcomes of each of the recommendations are included in this report, including the potential impact on jail overcrowding.

45. *1997-2013 Suffolk Stop Violence Against Women (SVAW) Grant*

Legal Authority & Federal Grant History

In 1994, the federal government enacted the Violence Against Women Act. Funds were allocated for local programs to address the needs of victims of violence and sexual assault. Resolution No. 980 of 1997 accepted and appropriated \$307,000 in federal pass-through grant funds from the NYS Division of Criminal Justice Services in various county departments to combat violence against women. An additional \$100,000 of federal funds was added to this figure to carry the program through June 30, 1999. The project received \$150,000 to continue program services from 7/1/99 through 6/30/00. Having developed an aggressive, coordinated approach to combating domestic violence, Suffolk County replicated this approach to combat rape and sexual assault. This was accomplished by a collaborative effort involving the Suffolk County Executive's Office, the District Attorney's Office, the County Departments of Probation and Police and three community-based contract agencies serving victims of sexual assault.

Partners in this collaborative effort planned and coordinated systems changes. Resources provided through this grant enabled the County to improve prosecution of rape and domestic violence offenders, enhance and expand counseling and advocacy for victims, provide greater protection to women who are stalked, threatened, and endangered, and improve management information and research in this area. In addition, the County enhanced efforts to combat violence against women in the County's East End, and other underserved populations.

The County received its fifteenth year of federal funding for the period of 10/01/11 through 9/30/12 in the amount of \$135,933.00. Of the \$135,933.00, \$131,061.00 covered a portion of the expenses of four victim service contract agencies (VIBS, S.C. Coalition Against Domestic Violence Brighter Tomorrows, and The Retreat) and \$4,872.00 provided panic alarms by the S.C. Police Department. The total amount awarded to the County over the past fourteen years between 2007 and 2012 was \$2,117,678. It is somewhat unprecedented to receive fifteen years of discretionary funding; in 2012 the County received funding to maintain this community-based program for a sixteenth funding cycle through 9/30/2013. Suffolk's State representatives have indicated that Suffolk has had one of the best programs statewide and have periodically asked us to make presentations at statewide conferences on Violence Against Women programs.

46. *2012-2013 Parole Reentry Task Force Grant*

On November 2, 2005, the Suffolk County Criminal Justice Coordinating Council (CJCC) submitted a proposal to the NYS Division of Criminal Justice Services under the County Reentry Task Force Grant Program to fund the development of a County Reentry Task Force to plan for

the successful return of offenders from incarceration to the community. Resolution 1433 of 2006 of the Suffolk County Legislature accepted and appropriated state pass-thru grant funds to cover personnel and travel expenses related to this grant project. Funding is 100% reimbursable and has been continuous since 2006. The 2013 budget is \$347,400.

The role of county-level reentry task forces is threefold.

- First, county task forces provide coordinated services to high-risk offenders that address housing, employment, education, family support and reunification, substance abuse, mental and physical health, and other transitional needs.
- Second, County task forces collaborate with state criminal justice agencies, particularly with the Division of Parole, Department of Correctional Services and human service providers to develop transition plans for high-risk offenders transitioning from prison back into the community.
- Third, county task forces assess the current system of offender transition in the county and implement strategies to enhance successful transition. Lastly, local task forces develop the community's capacity to assist in offender reentry through means such as public education, development of mentoring programs, and inclusion of ex-offenders in volunteer services as a means of reparation.

In 2011, the task force had accepted 158 cases that were then referred to mental health and substance abuse treatment agencies for services. Services not covered through other funding sources are paid for through contracts with the provider agencies. This initiative is derived from a model developed through the National Institute of Corrections (NIC) known as "Transition from Prison to Community" or TCP.

47. 2012-2013 Operation Impact Grant Program

Grant Funding

In 2004, the Suffolk County District Attorney's Office, acting as the lead agency, submitted a grant application to the New York State Division of Criminal Justice Services for federal narcotics control funding. The NYS Division of Criminal Justice Services awarded this grant to the Suffolk County District Attorney's Office and Departments of Police, Probation and Health to address prosecution of violent crime and narcotics related crime in targeted areas within Suffolk County.

Target Population

The crime problem being targeted is violent criminal activity, including gang related crimes, as well as criminal activity associated with the sale and purchase of narcotics in targeted communities in Suffolk County. Gang activity is becoming a major crime issue in Suffolk

County. Gang recruitment and crimes involving gangs are becoming more prevalent in this suburban county. The influence of gangs not only has led to increasing violent criminal activity, but a corresponding increase in narcotics activity within Suffolk County. In order to successfully combat the problem, the focus must be on the gangs and narcotics trafficking.

Results

As illustrated in Table 1, crime in Suffolk County was reduced by 9.9% during the first four months of 2011 as compared to 2010, while violent crime was reduced by 11.3%. This reduction was at least partially accomplished through the efforts of Project Impact.

Table 7: Reported Crime In Suffolk County
January – April 2011 vs. 2010
As of 6/3/2011

Impact	Year-to-Date		
	2010	2011	% Change
Total Index Crimes	33,040	29,768	-9.9%
Violent Crime	4,779	4,237	-11.3%
Murder	72	36	-50.0%
Rape	211	186	-11.8%
Robbery	1,777	1,614	-9.2%
Aggravated Assault	2,719	2,401	-11.7%
Property Crime	28,261	25,531	-9.7%
Burglary	5,842	5,635	-3.5%
Larceny	20,456	18,310	-10.5%
Motor Vehicle Theft	1,963	1,586	-19.2%

48. 2003-2013 U.S. Marshal's Fugitive Task Force

Systems Design

Since 2003, Suffolk County Department of Probation has participated in the U.S. Marshals Service NY/NJ Regional Fugitive Task Force. On a federal level, the Task Force is in partnership with DOHS, ICE, ATF, DEA, FBI, US Probation and Social Security. Locally, Police Departments, District Attorney's Offices, Probation Departments, Sheriff's Offices,

Town and Village Police Departments from Suffolk and Nassau counties in addition to Suffolk DSS are involved in this Task Force as well as NYS Police and NYS Parole.

Target Population

The U.S. Marshals Service NY/NJ Regional Fugitive Task Forces is a multi-agency operation combining resources from federal, state and local law enforcement agencies to locate and arrest the most violent fugitives. This project entails the services of a Senior Probation Officer assisting the Task Force in locating and tracking wanted violent felons, in addition to probationers wanted on violent felony charges or probationers wanted on a violation of probation, where the underlying offense is a violent or serious crime.

Results

The U.S. Marshals Service NY/NJ Regional Fugitive Task Force is a multi-agency operation combining resources from federal, state and local law enforcement agencies. The collaborative efforts of the various law enforcement agencies have resulted in 7,312 arrests of violent felony offenders in 2011 alone. During this same year the Long Island Division cleared 547 warrants.

49. Institutional Care Strike Force (2002-2011)

Alternative for Youth Program (Residential Placement and Crime Delinquency Prevention)

In 2002, County Executive Robert Gaffney established an Institutional Care Strike Force to address the rising number of youth being placed in costly residential care. This Strike Force was comprised of representatives from the major youth serving agencies and departments, including the Departments of Social Services, Probation, Health, Youth Bureau, Family Service League, Hope For Youth and Sagamore Children's Psychiatric Center. The task of the Strike Force was to evaluate the costly residential placement problem in Suffolk County and to develop a plan to divert children from this placement. The Institutional Care Strike Force developed a program plan, *Alternatives For Youth*, which required fiscal support to implement, both in terms of staffing and enhancements to community-based services for families.

The Institutional Care Strike Force members sought assistance from the VERA Institute, New York State Division of Probation and Correctional Alternatives and New York State Office of Children and Family Services in evaluating the problem that numerous juveniles allegedly in need of supervision, which went through the Family Court process and ultimately resulted in out-of-home placement in residential facilities.

Upon researching a number of different program options to divert youth from the Family Court, the Strike Force members agreed that a program modeled after the "Southwest Key

Immediate Intervention Services Program” could offer the best design and opportunity to effectively reduce the number of youth placed in residential care.

While the various county agencies were in the process of implementing the AFY program, on April 1, 2005, Chapter 57 of the Laws of 2005 enacted new State PINS Reform Legislation. This PINS Reform Legislation required adjustments to how school and parent PINS are processed. This new legislation required internal departmental changes to comply with this law’s requirements. This legislation places greater emphasis on documenting and providing all possible diversionary services to avoid sending the petition to Family Court. It also eliminated the time limitations on diversionary efforts (formerly maximum of 6 months), thus PINS Diversion staff are now working with and tracking cases for much longer periods of time. As indicated above, the emphasis on providing all possible diversionary services will also require the County to ensure that there are no gaps in community-based services for the PINS youth. Additional community resources, such as respite services, have recently been added to the continuum of services for this population in order to reduce the number of PINS cases that are petitioned and at risk of being placed in residential care.

With this PINS Reform Legislation, it became even more important and timely for the County to implement the Alternatives For Youth Program to ensure that all possible diversionary services are provided to the youth and family. This program began operations on October 1, 2005.

**Table 8: AFY Program Activities Probation Department
October 2005 through December 2012**

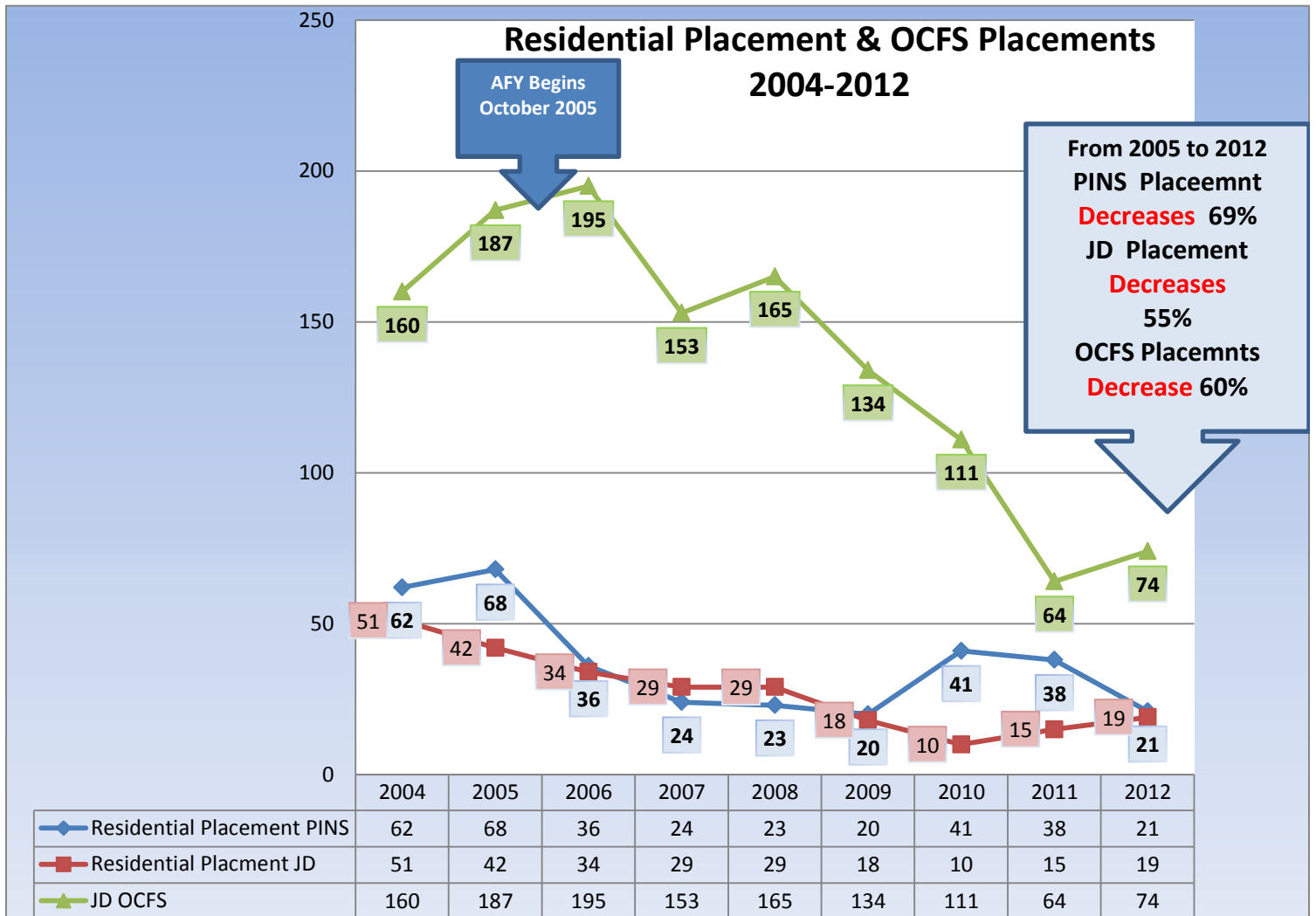
	2005 Oct. – Dec. 3 Mos. Month Months	2006 Jan. – Dec. 12 Months	2007 Jan. – Dec. 12 Months	2008 Jan. – Dec. 12 Months	2009 Jan. – Dec. 12 Months	2010 Jan. – Dec. 12 Months	2011 Jan. – Dec. 12 Months	2012 Jan. – Dec. 12 Months	Total Oct. 2005- Dec. 2012
Number Of Referrals (AFY)	135	550	731	705	738*	730*	737*	637*	4963*
Number Of Advice Calls (A & I)	444	1462	1187	1037	961	676	648	494	6909
Number Of General Advice Calls	163*	799	428	156	473	651	603	372	3645
Number Of Walk Ins	103	421	296	241	218	0	0	0	1279

General Advice Call Statistics Not Kept in October 2005

**The total number of referrals is 16 cases fewer than the actual number of screening forms received. Total actual number of referrals = 4,326. In 2009, data was unavailable for 30 cases. While the actual number of AFY referrals was 738, data was available on 708. In 2010, data was unavailable for 39 cases. While the actual number of AFY referrals was 730, data was available on 691. In 2011, the actual number of AFY referrals was 737 and data was collected from 746.

In 2012, the actual number of AFY referrals was 637 and data was collected from 638.

Figure 4



50. *2012-2013 Justice Assistance (JAG) Annual Grant Award*

Suffolk County receives Federal Edward Byrne Memorial Justice Assistance Grant (JAG) funds from the U.S. Department of Justice. Grant awards in recent years totaled as follows: 2008 – 103,027, 2009 - \$351,977, 2010 - \$315,499, 2011 - \$248,472, and 2012 - \$249,131.

The Suffolk County Criminal Justice Coordinating Council (CJCC) identifies and prioritizes projects that best meet the criminal justice needs of the county. The recommendations of the Criminal Justice Coordinating Councils are made to the County Executive for review, modification, if necessary and approval or disapproval.

For example, the 2011 list of JAG projects included the following ten projects:

Project 1 Suffolk Department of Social Services

Purpose Areas: Prosecution and court programs; prevention and education programs; crime victim and witness programs.

Program Name: Public Guardianship Program

Project 2 Suffolk County Police Department

Purpose Areas: Drug treatment and enforcement programs.

Program Name: Police Pre-Screening Breath Test Units

Project 3 Suffolk County Police Department

Purpose Areas: Prevention and Education Programs

Program Name: Police Hate Crimes Unit Outreach and Education

Project 4 Suffolk County District Attorney

Purpose Areas: Prosecution and Court Programs

Program Name: Heroin Drug Task Force

Project 5 Parents or Megan's Law

Purpose Areas: Prevention and education programs; crime victim and witness programs.

Project 6 Suffolk County Sheriff

Purpose Areas: Prevention and education programs.

Program Name: Sheriff's Gang Prevention Program G.R.E.A.T.

Project 7 Suffolk County Sheriff

Purpose Areas: Prevention and education programs.

Program Name: Sheriff's Gang Conference

Project 8 Suffolk County Probation

Purpose Areas: Corrections and community corrections programs.

Program Name: Probation Department Psychological Assessments for offenders with mental illness.

Project 9 Pederson Krag Center

Purpose Areas: Drug treatment and enforcement programs.

Program Name: The Pederson Krag Center Addiction Recovery Services Department

Project 10 Prison Families Anonymous, Inc.

Purpose Areas: Crime victim and witness programs.

51. *Suffolk County Project SCOPE (2005-2013)*

Systems Design

In February 2004, the Probation Department working in conjunction with the Police Department, Sheriff's Office and Suffolk Coalition Against Domestic Violence (SCCADV) submitted a grant proposal to the U.S. Department of Justice – Office on Violence Against Women to address arrest policies and enforcement of Orders of Protection. Although the County did not receive funding for this initial grant application, the Suffolk County Police Department, acting as the lead agency, submitted a second multi-agency grant application in January 2005. On August 3, 2005, the U.S. DOJ awarded the County \$446,388 for Project SCOPE (Suffolk County Orders of Protection Enforcement) to enhance victim safety and offender accountability in cases of domestic violence and sexual assault. This multi-agency, collaborative program has received federal funding continuously since 2005.

Resolution No. 1231-2010 accepted and appropriated \$800,000 from the U.S. Department of Justice for Suffolk County's Project Scope for the period from January 1, 2011 through December 31, 2013.

Results

Substantial systems improvements have been achieved during the duration of this project including victims advocacy (additional funding NYS DCJS Recovery Act), precinct advocates; probation supervision in the Probation Domestic Violence Unit, development of a database of victim contact information; Police Academy training; Sheriff IMPACT Records Management and priority assignment of orders of protection and Criminal Contempt warrants involving weapons; S.C. Police Department Warrant Enforcement Section (WES) response and others.

52. *National Institute of Correction (NIC) Technical Assistance Report (NICTA 05J1087)*
Regarding Incarcerated Mentally Ill and Chemically Addicted in Suffolk County

Systems Analysis

This technical assistance was defined as including:

- Conducting an inmate mental health program assessment for the Suffolk County Correctional Facility. Review materials relevant to this overall assessment, including intake screening documents, procedures for inmates to access mental health services, policies and procedures for mental health services and suicide prevention/intervention efforts, and staff training materials.
- As assessment of the detention operations of the Suffolk County Sheriff's Office as they are impacted by law enforcement and parole and probation services within the County and which relate to the care and custody of persons with mental illnesses.
- Interviews of and discussions with Sheriff's Office and other County staff including administrators, program staff, medical and mental health staffs, and other contributing members of the organization who have some responsibility for the administration and success of the mental health program.
- An assessment of the physical environments of the Correctional Facilities as they related to the care and treatment of persons with mental health challenges.
- A review of current interactions between the mental health service providers in the Correctional Facility and within the community in an effort to identify opportunities for expanding participation between the facility and community resources to the benefit of public safety and the citizenry.

Results

Over forty key stakeholders in Suffolk's criminal justice system and services were involved in this systems analysis including: the County Executive's Office, the Legislature, the Courts, CJCC, Sheriff's Office, Probation, Police, Health Department, Legal Aid, treatment providers, advocacy groups, League of Women Voters, and others.

Twenty-four recommendations were made by NIC in the following areas: 1) Pre-Detention Issues, 2) Detention Issues, and 3) Post Release; Community Issues.

53. *Justice System Assistance Team (JSAT), "Suffolk County JSAT Project: An Examination of Jail Population Issues,"* May 2001.

Project Description

This document was produced by the Justice System Assistance Team (JSAT), a joint project of four New York State government agencies: the Division of Parole, the division of Criminal Justice services, the Division of Probation and Correctional Alternatives, and the State Commission of Correction. JSAT's purpose was to assist counties in the development of more purposeful, cost-effective, and coordinated systems of criminal justice sanctions and punishments. This report was provided for use by the Suffolk County JSAT Policy Team in its continued system planning efforts.

Results

Over the course of eighteen months of analyses of a "snapshot" sample of inmates in the jail, the county Policy Team gradually narrowed the focus of its planning from the entire population, to a category representing 13% of the entire population. First, it was determined that the more than 1500 cases in the jail sample fell into four major categories: pre-trial (44%), sentenced (41%), parole violators (10%), and those awaiting transfer to state prison (5%). The latter two categories were eliminated from consideration because the numbers of parole violators and state prisoners have decreased since the sample date, and appear to be holding steady. A close examination of the sentenced cases revealed that more serious offenders (e.g., those convicted of violent offenses and sex offenses) had longer lengths of stay than less serious offenders (e.g., property offenders, such as petty larceny). The policy team determined that this finding reflected purposeful sentencing on the part of judges, and saw little reason to further examine this group. This left the 44% who were pre-trial detainees.

Within the group of pre-trial detainees, three different types of courts were represented. Offenders ordered detained by town and village courts comprised 4% of the total population; offenders detained by the county court comprised 7% of the total population; and offenders detained by the district court comprised 33% of the total population.

54. *"A Fiscal and Structural Analysis of Suffolk County's Criminal Justice System: Recommendations for the 1990's",* CJCC Subcommittee on Policy and Planning, June 1993.

Systems Planning

The Criminal Justice Coordinating Council of Suffolk County established the Subcommittee on Policy and Planning in 19902 with the task of analyzing the current criminal justice system in Suffolk County. Members of this subcommittee include representatives from the County Executive's Office, the Probation Department, the Police Department, the District

Attorney's Office, the Sheriff's Department, the Department of Social Services and the Suffolk County Legislature.

The specific objectives and related tasks of the Subcommittee included the following:

Data Analysis

- To accurately document and describe the criminal justice system as it currently existed and operated in Suffolk County.
- To calculate the cost of Suffolk County's criminal justice system including the actual cost of capital expenditures; as well as total state and local costs involving the courts and prisons.
- To analyze Suffolk County's crime statistics (current, as well as historical) and forecast trends whenever possible. (Special emphasis was placed on violent crime patterns.)
- To determine the probable fiscal parameters that the Suffolk County criminal justice system will have to operate within, during this decade.
- The overall purpose of this effort was to conduct a fiscal and programmatic analysis of the criminal justice system, and to identify systems improvements that would ultimately result in a more efficient and cost effective model.

Results

The members of the Policy and Systems Planning subcommittee achieved their stated goals and objectives for the first phase by conducting a fiscal and structural analysis of Suffolk County's criminal justice system. In addition to an historical analysis of how Suffolk's system evolved fiscally and programmatically over the last decade, future fiscal parameters were identified.

VII. CONCLUDING REMARKS

The initial planning phase of identifying existing recidivism and ATI outcome data for Suffolk County's criminal justice system has been completed. In addition, some information regarding an historical analysis of how Suffolk's criminal justice system evolved has also been included with original grant recidivism results. Evidence-based evaluations of existing programs and innovative approaches will continue to be analyzed on local, state and national levels on an ongoing basis.

In the next phase of this initiative, a systems perspective is being employed. This approach will continue the analysis that the CJCC Systems Planning Sub-Committee undertook during the CFROC Jail Overcrowding effort in 2005. Probation and ATI state aid applications now require this analysis in 2013.

The basic purpose of this planning effort is to assist in the development of innovative strategies that maximize scarce resources, improve overall system efficiency, and increase public safety.

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Appendices

Appendix A

New York State Division of Criminal Justice Services

Frequently Used Terms and Phrases

Absconder - A probationer who has failed to make his or her whereabouts known for a period of 30 calendar days by failure to report or who has left the jurisdiction of the court without permission of the court or probation officer.

Adjustment period - The time period during which probation intake is authorized to complete a preliminary probation procedure in a case pursuant to starting and duration dates specified in the Family Court Act and Uniform Family Court Rules.

Adjustment services - An attempt to adjust suitable cases either before a petition is filed, or by order of the court before a fact-finding. An adjustment may occur either at the conclusion of the preliminary intake review or through the completion of a case assessment, development of a service plan and the provision of Adjustment services.

Automation - The automatic operation or control of a process, system or equipment.

Assessment - As used in probation and alternatives to incarceration, the gathering of information for the determination of offender risk to the community and needs for successful discharge whether it be from probation supervision or release from custody.

BAC (Blood Alcohol Content) - Measurement of the alcohol content in milligrams per 100 milliliters of blood.

For example: In order start a car with an ignition interlock device a person's blood-alcohol content must measure below .02, or 20 milligrams per 100 milliliters of blood.

A motorist who has been stopped by the police has his/her blood alcohol content measured by a breathalyzer device and it indicates that his/her BAC is .08 or 80 milligrams per 100 milliliters of blood in her body. This is the threshold indicator of intoxication as defined in the law.

Bucchal Swab - The Bucchal Swab is used for the collection of DNA and is performed using a brush (swab) with an ejectable head. Each swab can only be used on one specific participant.

Co-occurring - Occurring jointly or together, such as mental illness with chemical/alcohol addiction.

Contact - Communication with or concerning the probationer, in person, by telephone, by mail, by electronic medium or any other means.

Continuum - A number of steps within a process of care, service, or supervision that appear to be continuous and without break.

Collateral Contact - Communication, other than a normal supervisory interaction, between a probation department and a person other than the probationer concerning the probationer's behavior or status, either in person, by telephone, by mail, by electronic medium, or any other means approved by the State Director of Probation and Correctional Alternatives.

Computer-based - The use of a computer and either a computer disk or floppy disk to obtain training and or information.

Criminogenic - Producing or tending to produce crime or criminals: a criminogenic environment.

Designated Assessment Service (DAS) - The entity (ies) which provides those assessment services as specified in each locality's PINS Adjustment services Plan, which are operated by or under agreement with probation intake for determining the service needs of persons referred for assessment pursuant to article 735 of the Family Court Act.

Diversión - Rerouting a path toward a different direction, in Probation, diversion is to provide alternatives to court processing.

Disposition - The formal resolution of a case by a court.

Dual Supervision - The status resulting from concurrent probation sentences where the duty of supervision may be carried out by more than one agency, or the establishment of custodial responsibility by another governmental or private social agency in concert with a probation supervision disposition, or concurrent supervision by a parole agency.

DWI - An abbreviation for Driving While Intoxicated – driving while intoxicated is a criminal offense which occurs when driving a motor vehicle after consuming enough alcohol to raise the blood alcohol level above the legal limit.

Felony - An offense for which a sentence to a term of imprisonment in excess of one year may be imposed.

Home Visit - A visit to the probationer's home to verify residence, to assess living conditions, monitor probationer compliance with the conditions of probation, and/or assess needs, and in some cases deliver family programs.

Ignition Interlocks - Devices equipped with recording devices that capture the number of times the automobile was started or attempted to be started, the operator's BAC at the time an attempt was made to start the car, and the duration the automobile was driven during the monitoring period.

Intake - Includes at least one conference by probation with the potential respondent (i.e. child, parent, adult) and other interested parties concerning the advisability of filing a petition.

Intra state - The transfer of probation supervision between counties within the same state.

Inter state - The transfer of probation supervision between states.

Interstate Compact - Legally binding agreements and administrative arrangements under which the states in an interstate transfer serve as each other's agents in the supervision of certain parolees, probationers, juvenile delinquents and youthful offenders. Probationers, who are allowed to move to a different state, do so under the auspices of Interstate Compact.

Interstate Transfer - The process by which the supervision of adult and child probationers is transferred to and from jurisdictions outside the State of New York.

Intervention - Used here to represent the steps taken to direct individual toward positive outcomes. An example of an intervention would be the referral of an alcoholic to an alcohol treatment program.

Juvenile Delinquent (JD) - A person between the ages 7 and 16, who commits an act which if had been committed by an adult, would have been a crime.

Juvenile Offender - A criminal charge for a person charged with certain serious felonies alleged to have been committed when the person was at least 13 years old and less than 16 years old and processed in Criminal Court.

Linkages - The act or process of linking. Used here to refer to connecting an individual with appropriate services and or connecting related services.

Misdemeanor - An offense, other than a "traffic infraction," for which a sentence to a term of imprisonment in excess of fifteen days may be imposed, but for which a sentence to a term of imprisonment in excess of one year cannot be imposed.

Model - To make conform to a chosen standard. Serving as a standard of excellence; worthy of imitation

Multi-Disciplinary - Having more than one area of specialty or concern addressing a particular need.

Needs assessment - Standardized procedures which identify the probationer's needs or aspects of the probationer's behavior or life situation which, if not addressed, could impede rehabilitation or promote continued illegal behavior.

New Offense Violation - A violation of probation by virtue of a new offense while on probation.

Normed - Usually refers to the statistical process of adjusting a test so that it accurately reflects the "norm" of its target population or standard.

Optimum - The best or most favorable condition, degree, or amount for a particular situation.

Offender -; A person convicted of committing a crime.

Peace Officer - In New York State a Peace Officer is a person designated by law who, pursuant to statutory authority of the Criminal Procedure Law 2.20, is authorized to exercise and may be required to exercise prescribed police-like powers such as bear arms, use of force, make arrests and conduct searches when acting pursuant to his/her job assignments. In New York State probation officers, parole officers and corrections officers are among the many titles designated as peace officers.

Police officers deal with the general public and are charged with enforcing all laws. They have a pro-active law enforcement responsibility to deter crimes, detect the commission of crimes and apprehend those responsible. Peace officers serve specific clientele and enforce the laws pertaining to those designated populations. Probation officers have primary responsibility for enforcing the conditions of probation imposed by the courts on offenders sentenced to a period of probation. All probation officers in New York State are peace officers.

Personal Contact - Face-to-face contact with the probationer by the assigned probation officer or officers, or other authorized personnel operating as a probation team.

Person in Need of Supervision (PINS) - A person less than eighteen years of age who does not attend school in accordance with the education law or who is incorrigible, ungovernable, or habitually disobedient and beyond the lawful control of a parent or other person legally responsible for such child's care, or who possesses or uses illegal or controlled substances.

Placed on Probation - This term means a disposition imposed by a Family court which permits the respondent to remain in the community under conditions specified by such court and to be supervised by a probation officer.

Potential Petitioner - The person in a case who would sign and file a petition with the court in order to commence a proceeding, including the modification or enforcement of a court order.

Pre-disposition Investigation (PDI) - The process by which probation officers investigate and produce a report prior to the Dispositional Hearing pursuant to a Family Court order.

Preliminary Intake Review - The holding of at least one conference with the persons potentially qualifying for Adjustment services and the person, or representative of an entity, seeking to file a petition concerning the eligibility and suitability of the case for Adjustment services. This is the initial stage of preliminary probation procedure.

Pre-plea Investigation - The process by which probation officers investigate an offender prior to conviction, and produce a report pursuant to a Criminal Court order or request.

Pre-sentence Investigation (PSI) - The process by which probation officers investigate and produce a report pursuant to a Criminal Court order prior to conviction and prior to sentencing.

Probation Intake - A generic term used to describe a function of probation which provides for the provision by probation personnel to members of the community of certain pre-adjudicatory services in Family Court matters and/or certain referral services.

Probation Sentence - A sentence imposed by a criminal court which permits the convicted/adjudicated offender to remain in the community under conditions specified by that court and to be supervised by a probation officer.

Probation - A department of government at the county or city level administering and carrying out probation functions, programs, and services pursuant to laws, policies and rules.

Probation Services - Intake/diversion, investigation, supervision, support/collection, and other special or related service delivery programs provided by a local probation department.

Probation Team - A group of probation officers or other probation personnel authorized by the local director of probation to perform supervision functions, who are designated to share the responsibility for case management and/or service delivery for either the full term of supervision or a limited period of time. A probation team may perform a specific supervision task or a variety of duties, in accordance with procedures established by the local director of probation.

Protective Factors - Characteristics and resources of youth and their families that help insulate them from negative outcomes and help ensure their adjustment. Protective factors are also referred to as strengths.

Protocol - A strict procedure.

Recidivism - Relapse into a former pattern of behavior; especially, a tendency to return to criminal habits. Most commonly identified as a re-arrest.

Referred for Petition - The advisement by probation intake to the potential petitioner that a petition may be filed, whether or not a petition is actually filed.

Restitution - The act of restoring to the rightful owner something that has been taken away, lost, or surrendered. The act of compensating for loss, damage or injury.

Service Provider - Any agency, organization or individual licensed, certified, or regulated by law that provides services to the probationer in accordance with the probationer's needs.

Stabilize - To maintain/obtain stability - stability is defined as being resistant to sudden change; having a constancy of character, reliability and dependability.

Successfully Adjusted - An official determination by probation intake that resolution of the presenting complaint has been achieved.

Supervision - The sum of the activities of a probation officer, or probation officers or other authorized personnel acting as a team, which includes the review of the conditions of probation with each probationer, offering instruction with regard thereto, keeping informed of the probationer's compliance with the terms and conditions of probation; monitoring and holding a probationer accountable for his or her conduct, habits, associates, employment, recreation, and whereabouts; aiding a probationer in securing employment; and aiding and encouraging a probationer by individual or group counseling, guidance and admonition and by such other measures as may seem most suitable to bring about improvement in probationer conduct, condition, and general attitude toward society; and identifying and utilizing resources appropriate to the needs of the probationer.

Supervision Period - The length of time a person is supervised on Probation which is determined by type of crime (misdemeanor or felony) or time probationer is sentenced to or placed on probation, or from the date of completion of a condition of imprisonment imposed by a criminal court.

Technical Violation - A violation of probation by failure to comply with the conditions of supervision.

Termination - The discharge or end of a sentence to or placement on probation by the court.

Treatment - The application of remedies with the intent to cure; therapy.

Therapeutic - Pertaining to the treating or curing of disease or condition; curative. For example: Treatment programs for alcohol or substance abuse.

Virtual - Existing or resulting in essence or effect though not in actual form or name. A Virtual Academy provides a learning experience via computer without having to attend a classroom presentation.

Youthful Offender (YO) - A special treatment for certain offenders between 14 and 19 which allows the criminal record to be sealed and does not disqualify a person from public employment or licensing.

Appendix B

New York State Division of Criminal Justice Services (DCJS) Reports and Website Links

<http://www.criminaljustice.ny.gov/opca/statistics.htm>

February 29, 2012 - [Analysis of Alternative to Incarceration Program Participants](#) provides information about Individuals participating in Alternative to Incarceration (ATI) programs funded by the Division of Criminal Justice Services (DCJS). The report describes the legal and demographic characteristics of ATI participants who were discharged from these programs between January 2008 and December 2010.

February 29, 2012 - [200% of Poverty programs 2011 Report](#)

January 19, 2012 - [Caseload Explorer Quarterly Review as of December 31, 2011](#)

November 23, 2011 - The [OPCA Shared Services Quality Assurance Meeting](#) of November 3, 2011 featured a presentation by Dr. Merrill Rotter, Medical Director, EAC TASC Mental Health Programs, Associate Clinical Professor, Albert Einstein College of Medicine entitled, "[Targeting Criminal Recidivism in Mentally Ill Offenders: Cognitive Behavioral Therapy Approaches.](#)"

August 30, 2011 - [Caseload Explorer Quarterly Review as of June 30, 2011](#)

August 2, 2011 - Recently released data compiled by OPCA reveal that probation officers in 57 jurisdictions across New York State complete nearly 10,000 risk and need assessments each quarter. To view the full report, please visit: [NY COMPAS January-June 2011 Case Reviews by County](#). For a 2nd quarter 2011 summary, please visit: [NYS DCJS OPCA NYCOMPAS Assessments 2nd Quarter 2011 Summary Report](#).

June 17, 2011 - [Implementing the Child Passenger Protection Act or "Leandra's Law" in New York State](#) presentation by Deputy Commissioner and Director Robert M. Maccarone to the NYS Department of Corrections and Community Supervision in Albany, NY on June 17, 2011.

June 17, 2011 - [Shared Services Alternatives to Incarceration Summary 2009-2010 Report](#) and [cover memo](#).

June 16, 2011 - [Juvenile Justice Annual Update for 2010](#) - Prepared by the DCJS Office of Justice Research and Performance for the NYS Juvenile Justice Advisory Group.

June 15, 2011 [OCA Report on The Future of Probation in New York State - Phase I: Criminal Court - February 2007](#)
[OCA Report on The Future of Probation in New York State - Phase II: Family Court - November 2008](#)

June 15, 2011 - [Probationer Felony Re-Arrest Rates Following Sentence to Probation](#) - Issued

March 22, 2011 [Parolee/Probationer Arrests as Percent of Total Arrests within County 2001–2010](#) - Issued April 25, 2011

June 13, 2011- [200% of Poverty Alternatives to Incarceration \(ATI\) Summary 2009-2010 Report](#)

June 10, 2011- [Thinking for a Change \(T4C\) Cognitive Behavioral Program Training](#) and Implementation Report. [Statewide T4C Facilitator Summary](#).

May 10, 2011- [Caseload Explorer Quarterly Review as of March 31, 2011](#)

April 21, 2011- [Juvenile Risk Intervention Service Coordination \(JRISC\) 2008-2010 Annual Summary Report](#) released by OPCA.

April 4, 2011- Probationer Employment Data 2009 & 2010 - Director Maccarone recently issued [Director's Memorandum #2011-6](#) that describes various offender employment efforts. [Probationer employment data for 2009 and 2010](#) reported by probation departments in Annual Plans recently submitted to OPCA indicate an overall increase in employment from 61.5% in 2009 to 63.4 % in 2010. OPCA continues to train probation and alternative to incarceration professionals as [Offender Workforce Development Specialists](#) who are able to conduct cognitive groups for offenders using the New York State job readiness and retention curricula *Ready Set Work!* and *Retention Counts!*.

March 7, 2011 - Alternative to Incarceration (ATI) programs continue to provide critical services to New York State's criminal justice system by providing cost effective programs that reduce unnecessary reliance on incarceration, reduce recidivism and promote public safety and assist individuals change their behaviors and lead law-abiding lives. Highlights of the 2010 reports include the following:

- The [Community Service Programs](#) report that 87.5% of participants successfully complete the service
- The [Pretrial Services Programs](#) report 30,162 releases with an overall Failure to Appear Rate (FTA) of 3.1.
- [Specialized Drug and Alcohol Service Programs](#) report 13,747 individuals placed in programs with 71.2% completing.
- [DBA Programs](#) prepared 2,756 individualized client-specific plans and 2,511 were accepted by the Courts.
- [TASC Model Programs](#) report 5,378 placements and 4,234 successful completions.

January 6, 2011 - Probationer Re-Arrest Rates Following Sentence Report - The Office of Probation and Correctional Alternatives (OPCA) is pleased to release the ten-year annual [Probationer Re-Arrest Rates Following Sentence Report](#) which has been updated through 2008. Probationer recidivism, defined as felony re-arrests, continued to decline for 12 (12.1%), 24 (19.2%) and 36 (25.3%) months. These are the lowest statewide rates reported since 1999. Reduced recidivism rates are evidenced in all categories, including re-arrests for Violent Felony Offenses, Drug Offenses and Other Felony Offenses. With our continued emphasis on evidence-based practices in our training, including motivational interviewing, cognitive-behavioral interventions, and offender workforce development, as well as our uniform risk and need assessment tools, and automation technology, these rates should continue to decline.

Alternative to Incarceration (ATI) Programs continue to enhance New York State's criminal justice system by providing cost effective programs that reduce unnecessary reliance on local and state incarceration, reduce recidivism, promote public safety and assist individuals to change their lives to become productive residents of our State. Annual data through the 3rd quarter reporting period reflect the following:

- (39) [Community Service Programs](#) report that 5,809 participants were placed and 4,092 participants successfully completed community service.
- (44) [Pretrial Services Programs](#) report 24,100 releases with an overall Failure to Appear Rate of 3.1%.
- (52) [Specialized Drug and Alcohol Service Programs](#) report 10,701 individuals placed in programs with 71.6% completing.
- (11) [Defender Based Advocacy Programs](#) prepared 2,067 individualized client-specific plans and 1,904 were accepted by the Courts.
- (15) [TASC Model Programs](#) report 4,103 placements and 2,934 successful completions.

June 10, 2010 - [2009 JRISC Program Summary](#)

May 18, 2010 - [Probationer employment data for 2008 and 2009](#) as submitted by probation departments in their annual plans submitted to DPCA.

April 27, 2010 *Caseload Explorer* [Automated Probation Case Management System: Implementation Report](#) –ATI programs continue to provide critical services to New York State's criminal justice system by providing cost effective programs that reduce unnecessary reliance on incarceration, reduce recidivism and promote public safety and assist individuals change their behaviors and lead law-abiding lives.

Highlights of the 2009 reports include the following:

- The [Community Service Programs](#) have provided data which indicate an 87.5% successful completion rate.
- The [Pretrial Services Programs](#) have reported 32,659 releases with an overall Failure to Appear Rate of 3%.
- [Specialized Drug and Alcohol Service Programs](#) report 14,776 individuals placed in programs with 72.5% completing.
- [DBA Programs](#) prepared 2,608 individualized client specific plans and 2,341 were accepted by the Courts.
- [TASC Model Programs](#) report 5,428 placements and 4,500 successful completions.

September 16, 2009 - 2008 Annual Statistical Reports for all Alternatives to Incarceration (ATI) ATI programs continue to provide critical services to New York State's criminal justice system by providing effective programs that reduce unnecessary reliance on incarceration and reduce recidivism while assisting offenders change their behaviors to lead law-abiding lives. 2008 Annual Statistical Reports are available for [Community Service Programs](#), [Pretrial Services Programs](#), [Specialized Drug and Alcohol Service Programs](#) and [TASC Program Model](#), and [DBA Programs](#)

March 23, 2009 - [2009 Probationer Employment Chart](#)

January 2009 - [Research Bulletin: The Use of the Polygraph in Sex Offender Management](#)

August 2007 - [Research Bulletin: Clinical and Structured Assessment of Sex Offenders](#) -

May 2007 - [Research Bulletin: Sex Offender Population, Recidivism and Actuarial Assessment Alternative to Incarceration \(ATI\) Programs Quarterly Data for the period April 1, 2008 through June 30, 2008](#) – DPCA promotes public safety and offender accountability in probation and other community corrections programs through funding and oversight. The programs funded through DPCA and reflected in this quarterly data offer specialized services that are supported by research including employment, training, and treatment, which assist offenders to change their behavior and lead law-abiding lives.

May 29, 2009 - [Probationer Felony Re-Arrest Rates Following Sentence](#) - The final ten-year (1998-2007) Annual Arrest Cohort Study for Probationers in New York State. Probationer Recidivism is an important performance measure. It is dependent on a number of variables including offender type, sentencing practices, local economies, etc. so the reader is cautioned from making comparison between jurisdictions.

June 30, 2008 - [New York State Probation Population 2007 Profile](#).

April 9, 2008 - DPCA implements the [Pathways to Employment](#) Initiative, in cooperation with the NYS Department of Labor and the National Institute of Corrections (NIC). Employment is recognized as increasing success for individuals under criminal justice supervision and reducing recidivism. It is one of the community ties that can make the difference for these individuals and their families in participating in the economies of their communities. DPCA trains probation officers and community correction professionals across New York State in the national model *Offender Workforce Development Specialist (OWDS) Curriculum* and has worked to make offender [employment rates a measurable outcome](#) for all of its funded probation and community corrections programs.

August 7, 2007 - [Probation Staffing & Caseload Survey 2006: Detailed Report](#) -
Statewide Probation Statistics - Criminal

- 2011 Reports
- [Sentenced Jan. thru Dec. 2011](#)
- [Supervised on 12/31/2011](#)
- [Closed Jan. thru Dec. 2011](#)
- [Closed by Category Jan. thru Dec. 2011](#)
- 2010 Reports
- [Sentenced Jan. thru Dec. 2010](#)
- [Supervised on 12/31/2010](#)
- [Closed Jan. thru Dec. 2010](#)
- [Closed by Category Jan. thru Dec. 2010](#)
- 2009 Reports
- [Sentenced Jan. thru Dec. 2009](#)
- [Supervised on 12/31/2009](#)
- [Closed Jan. thru Dec. 2009](#)

- 2008 Reports
- [Sentenced Jan. thru Dec. 2008](#)
- [Supervised on 12/31/2008](#)
- [Closed Jan. thru Dec. 2008](#)
- 2007 Reports
- [Sentenced Jan. thru Dec. 2007](#)
- [Supervised on 12/31/2007](#)
- [Closed Jan. thru Dec. 2007](#)
- 2006 Reports
- [Sentenced Jan. thru Dec. 2006](#)
- [Supervised on 12/31/2006](#)
- [Closed Jan. thru Dec. 2006](#)

[Statewide Probation Recidivism/Re-arrests Continue to Decline in New York State. 2005 Operations Annual Report of the Probation Eligible Diversion \(PED\) Programs](#) - Commencing in 1994 as Operation 360, the goal of the Probation Eligible Diversion Program (PED) was to divert 360 probation eligible non-violent felons from state prison at a time when prison populations in New York and nationwide were growing at a brisk pace. In an effort to support the work of county probation departments in the area of reducing recidivism and enhancing treatment, DPCA established program guidelines that enabled departments to engage offenders in four different venues: drug treatment courts, interim supervision cases, sentenced cases, and probation violators. Diversionary targets are based on local factors, probation population characteristics, services and other programs available locally, and the presence of a Drug or Treatment Court. Through the creativity and hard work of local Probation Directors and PED Probation Officers, the program has continued to be successful in diverting offenders from state prison and providing intervention services. In 2005, the programs surpassed the target of 360 diversions by 38 percent; 50 offenders were sentenced to the Department of Correctional Services.

[2005 Intensive Supervision Program Annual Report](#) - the latest in a series of analytical reports produced by DPCA staff for probation professionals in New York State

Appendix C

National Institute of Justice Recidivism Bibliography

1. National Institute of Justice's Evaluation of Second Chance Act Adult Reentry Courts: Program Characteristics and Preliminary Themes from Year 1
NCJ 241400, February 2013, Grant Report, by Christine Lindquist, Jennifer Hardison Walters, Michael Rempel, Shannon M. Carey (24 pages)
2. Solutions in Corrections: Using Evidence-based Knowledge – Interview
NCJ 234688, May 2010, Remarks/Interview, by Dr. Edward Latessa
[Summary/Abstract](#) | [HTML](#) (Transcript) | [Video](#) (7 segments, 00:14:39)
3. Solutions in Corrections: Using Evidence-based Knowledge – NIJ Research for the Real World Seminar
NCJ 234687, May 2010, Recorded Seminar, by Dr. Edward Latessa
[Summary/Abstract](#) | [HTML](#) (Transcript) | [Video](#) (01:17:17)
4. Criminal Justice Interventions for Offenders with Mental Illness: Evaluation of Mental Health Courts in Bronx and Brooklyn, New York, Executive Summary
NCJ 238265, February 2012, Grant Report, by Shelli B. Rossman, Janeen Buck Willison, Kamala Mallik-Kane, KiDeuk Kim, Sara Debus-Sherrill, P. Mitchell Downey (14 pages)
[Summary/Abstract](#) | [PDF](#)
5. Criminal Justice Interventions for Offenders with Mental Illness: Evaluation of Mental Health Courts in Bronx and Brooklyn, New York
NCJ 238264, February 2012, Grant Report, by Shelli B. Rossman, Janeen Buck Willison, Kamala Mallik-Kane, KiDeuk Kim, Sara Debus-Sherill, P. Mitchell Downey (202 pages)
[Summary/Abstract](#) | [PDF](#)
6. Electronic Monitoring Reduces Recidivism
NCJ 234460, September 2011, In Short, by National Institute of justice (4 pages)
[Summary/Abstract](#) | [PDF](#)
7. Electronic Monitoring Reduces Recidivism
NCJ 239774, October 2010, by Philip Bulman, Corrections Today article (2 pages)
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8. Effectiveness of Prisoner Reentry Services as Crime-Control: The Fortune Society
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